



**Environmental
Planning
Commission**

*Agenda Number: 04
Project Number: 1010550
Case #: 15EPC-40032
January 14, 2016*

Supplemental Staff Report
(To be read in conjunction with the original Staff report)

Agent	Tierra West, LLC.
Applicant	W & M Company
Requests	Amendment to Site Development Plan for Subdivision
Legal Description	Tract A-1 Redivision of Tract A (now comprising Tracts A1 & A2), the southwesterly portion of Tract A-1, all of Tract 1 excluding the northerly portion & excluding those portions adjacent to the south & east out to right-of-way
Location	On Wyoming Blvd. NE, between Montgomery Blvd. NE and Osuna Rd. NE
Size	Approximately 6.75 acres
Existing Zoning	C-2 (SC)
Proposed Zoning	No change

Staff Recommendation

APPROVAL of Case # 15EPC-40032 based on the Findings beginning on Page #6, and subject to the Conditions of Approval beginning on Page #9.

Staff Planner
Vicente M. Quevedo, Planner

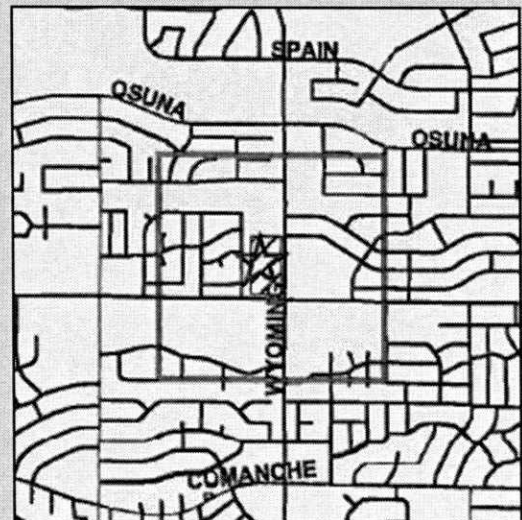
Summary of Analysis

This project was continued for 60 days at the November 12, 2015 EPC hearing to allow time to hold a facilitated meeting & for Planning Staff to conduct research on a previously vacated alley on the subject site. The facilitated meeting occurred on December 17, 2015.

The request is for a site development plan for subdivision (SDPS) amendment with design standards for an approximately 6.75 acre site. The request would subdivide the undeveloped portions of the subject site into 5 separate pad sites. The applicant envisions additional commercial uses on the subject site.

Overall, Staff finds that the request generally furthers applicable Goals and policies. Neighbors and property owners were notified as required. Staff received comments from the property owner to the north of the subject site.

The applicant requests that future site development plans for building permit for each tract be delegated to DRB for review and final sign-off. Staff is recommending approval of the requested amendment subject to findings and conditions.



City Departments and other interested agencies reviewed this application from 8/03/15 to 8/14/15.
Agency comments used in preparation of the Staff Report begin on Page 16 of the original Staff Report.

I. OVERVIEW

Continuance

This proposal was heard on November 12, 2015. The Environmental Planning Commission (EPC) voted to continue the hearing for 60 days to the January 14, 2016 public hearing to allow time for a facilitated meeting to occur and for Current Planning Staff to conduct additional research regarding a previously vacated alley on the subject site. The project was not recommended for a facilitated meeting by the Office of Neighborhood Coordination leading up to the public hearing on November 12, 2015. However, prior to the public hearing, concerns from the adjacent property owner to the north of the subject site were expressed in written comments (see attachments). The property owner north of the subject site also provided oral testimony at the public hearing.

Proposal

This is a request for an amendment to the Los Pastores Shopping Center site development plan for subdivision. The subject site is zoned C-2 (SC). The proposed amendments will subdivide the undeveloped portions of the subject site into five separate pad sites and establish necessary access and utility easements. Updated design standards are also proposed that would apply to the entire 6.75 acre shopping center site.

II. INTRODUCTION - Area Characteristics & Zoning, EPC Role, History & Background, Context, Transportation System, Comprehensive Plan Corridor Designation, Trails/Bikeways, Transit & Public Facilities/Community Services:

Please see p. 1-2 of the original Staff Report (see attachment).

Definitions (§14-16-1-5) & Zoning

Please see p. 2-3 of the original Staff Report (see attachment).

III. ANALYSIS- Applicable Ordinances, Plans & Policies

Please see p. 3-4 of the original Staff Report (see attachment).

IV. SITE DEVELOPMENT PLAN FOR SUBDIVISION AMENDMENT

The site development plan for subdivision proposes the creation of five new lots. Lots 1, 2 and 3 would have frontage along Wyoming Blvd.. Lots 4 and 5 would not as they comprise the western half of the site which is adjacent to residential lots to the west and an SU-1 site to the north. There is an existing access easement off of Montgomery Blvd. and a second one off of Wyoming Blvd. An additional access easement off of Wyoming is proposed along with a new access easement off of the existing 20' public alley way at the north end of the subject site which bisects the new proposed lots 1 through 5. (see attachment).

V. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

Staff notes that Transportation Development has submitted revised comments following the facilitated meetings that took place on December 17, 2015 and January 6, 2016. The purpose of the revised comments is to clarify the intent of those comments. Staff has attached the revised set of comments to the supplemental staff report. Please refer to p. 8 of the original Staff Report for the original set of Transportation Department agency comments (see attachment).

Neighborhood/Public

Please refer to p. 9 of the original Staff Report (see attachment).

Facilitated Meeting Update

After the case was continued, a facilitated meeting was held on December 17, 2015 (see attachment). Representatives for the applicant, agent, Loma del Rey Neighborhood Association, District 7 Coalition of Neighborhood Associations and Legacy Church all attended the facilitated meeting. The meeting was assisted by City engineering and legal staff. They spoke in an advisory capacity only. The Church is concerned that the shared access will inhibit their ability to safely move traffic. In addition, the Church stated that there has been a history of difficult relations between the owner of the subject site and the Church. Other concerns of the Church include overflow parking, and potential alcohol sales although the neighborhood association representatives in attendance stated that they approved of alcohol sales which is already a permissive use on the subject site per the C-2 (SC) zoning designation. Additionally, alcohol sales on the site would need to be decided at a state licensing hearing.

The attendees agreed to evaluate the traffic proposal described in the meeting specifics, work together as "good neighbors" to address parking issues, generally approved of the shopping center development, and saw it as an improvement to the current use, which is an empty lot.

At the facilitated meeting there was discussion from the Church regarding the occasional use of the empty portion of the shopping center site nearest the church's property for overflow parking, however no formal agreement has ever been presented to Planning Staff. The Church was not included in initial pre-application discussion meeting between the developer and the City leading up to the formal application being submitted and therefore felt they did not have sufficient time to evaluate proposals.

The City owns a 20' public alley between the Legacy Church to the North and the proposed subdivision. It continues on the west side of the subdivision to Montgomery. The shopping center wishes to use the alley, with improvements for access. The curb cut is slightly offset slightly to the north from the center of the easement. As a result, it is not well aligned to the median opening that serves Gutierrez Rd., across Wyoming.

The Church proposed that the City require another shopping center access farther south but north of the existing access. City Engineering Staff advised that would create a less preferable traffic situation to have multiple accesses close together, than a single access, there is no median cut where the proposed entrance would be located and the closer it was to Montgomery the worse it would be, because there is a lot of traffic backup and queuing nearer to the intersection.

The applicant and agent proposed that Church members use the existing alley opening, move the curb cut to a better alignment with the median opening on Wyoming Blvd., share this access point with the church, widen the alley from 20' to 30' and move the alley slightly south. This would allow the church to add 19 more parking spaces, and encourage exiting church attendees to also drive directly south using the shopping center internal road and the west alley access that both run directly to Montgomery.

The Church also expressed concerns regarding overflow parking onto their lot from future shopping center users. The applicant stated that the City requires the shopping center to provide sufficient parking and that overflow onto the Church site was unlikely.

Finally, the Church raised the possibility of having a half-wall on their southwest boundary to discourage overflow, but noted that this might require a site development plan amendment to their existing SU-1 site development plan. While the applicant discussed incorporating the proposed wall into their plans so the entire project could be passed as one unit. Current Planning Staff notes that if the Church wishes to amend their SU-1 site development plan to include a wall on their southwest boundary, this would need to be reviewed as a separate action.

Attendees agreed to meet again on January 6 at 2 PM to continue the discussion of the use of the alley and traffic routing options as well as review alternative site design layouts from the applicant to attempt to address the church's concerns. Staff notes that the scheduling of this meeting will not allow enough time for a finalized facilitator meeting report to be issued for inclusion in the Supplemental Staff Report prior to the EPC case distribution on Thursday January 7, 2016.

Staff Research Update

At the November 12, 2015 EPC public hearing, the attorney representing Legacy Church (Steve Smothermon) provided public testimony regarding the church's concerns related to access to and from the church site along the existing 20' public alley and the potential for alcohol sales on the subject site. Mr. Smothermon also presented an EPC Notice of Decision (N.O.D.) for File # Z-77-165 / V-77-41 (see attached). Mr. Smothermon claimed that the existing 20' public alley that currently bisects the subject site and the Church's property to the north should have been vacated in 1977 in accordance with the N.O.D. At the November 12, 2015 hearing, the EPC subsequently voted to approve a 60 day continuance to allow time for a facilitated meeting and for Planning Staff to conduct additional research regarding the existing 20' public alley.

Additional staff research has confirmed that File # Z-77-165 / V-77-41 did result in the vacation and relocation of an existing alleyway on the subject site that met the following conditions:

1. Submittal of a summary plat which combines the northerly portion with the balance of the parcel;
2. Relocation of the alley in accordance with the Traffic Engineering requirements.

Agency comments submitted by the Traffic Engineer stated that "A long dead-end alley, even with a cul-de-sac, is not desirable (see attached)." A summary plat that combined the northerly portion with the balance of the parcel and relocated the alley approximately 100' north of its previous location in accordance with Traffic Engineering requirements was approved on May 10, 1978 (SP-78-297 / D8-127) and recorded with the Bernalillo County Clerk on May 22, 1978 (see attached). Prior to the alley vacation, it was located within the shopping center site. The replat to vacate the alley dedicated the right-of-way for the subject alley. In summary, the existing 20' public alley that bisects the subject site and the Church property to the north is located in accordance with the appropriate EPC N.O.D. for File # Z-77-165 / V-77-41 dated November 21, 1977.

VI. CONCLUSION

This is a request for an amendment to the Los Pastores Shopping Center site development plan for subdivision. The subject site is zoned C-2 (SC). The proposed amendments will subdivide the undeveloped portions of the subject site into five separate pad sites and establish necessary access and utility easements. Updated design standards are also proposed that would apply to the entire shopping center site.

The proposed site development plan for subdivision would create 5 new lots. The applicant envisions various commercial uses and an office use in the future. Lots 1, 2 and 3 would have frontage along Wyoming Blvd. Lots 4 and 5 would not as they comprise the western half of the site which is adjacent to residential lots to the west and an SU-1 site to the north. A Traffic Impact Study (TIS) was not required.

The subject site is in the Established Urban area of the Comprehensive Plan. Overall, Staff finds that the request generally furthers applicable Goals and policies. Neighborhood organizations were notified as required. There was known opposition to this request from the property owner to the north of the subject site, however, the items that were raised (disagreement with city required improvements to the 20' public alley & alcohol sales on the subject site) are not items that the EPC can take action on because the required improvements are per the DPM which the EPC does not have discretion over, and the sale of alcoholic beverages on the subject site is already a permissive use per Section 14-16-2-17(A)(13) (Community Commercial Zone).

The applicant requests that future site development plans for building permit for each tract be delegated to DRB for review and final sign-off. Therefore, it is important that the design standards be clear and provides sufficient direction. The EPC has complete discretion over whether DRB delegation will be approved.

Staff has provided a list of recommended conditions to help clarify elements of the stated design standards, however the proposed design guidelines do not warrant delegation to DRB at this time. The current design standard language is not specific or detailed enough in Planning Staff's opinion to provide sufficient design and layout direction in order to delegate future review of Site Development Plan for Building Permit requests to DRB.

A facilitated meeting was held during the continuance period. The surrounding neighborhood associations generally support the proposal. While the Church proposed that the City require another shopping center access farther south, expressed concerns regarding overflow parking onto their lot from future shopping center users and raised the possibility of having a half-wall on their southwest boundary to discourage overflow parking on their site, attendees agreed to meet again on January 6 at 2 PM to continue the discussion of the use of the alley and traffic routing options as well as review alternative site design layouts from the applicant to attempt to address the church's concerns.

Staff notes that the scheduling of this meeting will not allow enough time for a finalized facilitated meeting report to be issued for inclusion in the Supplemental Staff Report prior to the EPC case distribution session on Thursday January 7, 2016. The applicant has also informed Staff that they may potentially revise the Site Development Plan for Subdivision Plan set following the January 6, 2016 facilitated meeting. Staff notes that there may not be adequate time to thoroughly evaluate these potential changes ahead of the January 14, 2016 public hearing. Depending on the type and degree of proposed changes, the Site Development Plan for Subdivision Plan set may need to be re-routed to commenting agencies for review.

FINDINGS - 15EPC-40032 – January 14, 2016 - Site Development Plan for Subdivision Amendment

1. This is a request for a Site Development Plan for Subdivision Amendment for Tract A-1, Re-division of Tract A (now comprising Tracts A1 & A2), the southwesterly portion of Tract A-1, all of Tract 1 excluding the northerly portion & excluding those portions adjacent to the south & east out to right-of-way located on Wyoming Blvd. NE, between Montgomery Blvd. NE and Osuna Rd. NE and containing approximately 6.75 acres.
2. The subject site is zoned C-2 (SC). The proposed amendments will subdivide the undeveloped portions of the subject site into five separate pad sites and establish necessary access and utility easements. Updated design standards are also proposed that would apply to the entire 6.75 acre shopping center site. This is a quasi-judicial matter.
3. A subdivision plan was originally approved in December 1962 and subdivided the subject site into three separate tracts (S-1214). The existing C-2 zoning was established for the subject site in November 1977 (Z-77-165). In January 1980 the Los Pastores Shopping Center development plan was approved by the EPC with conditions.
4. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The Site Development Plan for Subdivision Amendment furthers the following relevant Comprehensive Plan policies:
 - A. Policy II.B.5.d.: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

The requested action is appropriately located adjacent to and nearby a cluster of other C-2 zoned lots, the intensity of which will not negatively impact existing residential development in the area. Carrying capacities are also appropriate for the area. Therefore, the request furthers Policy II.B.5.d.
 - B. Policy II.B.5.e.: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

The portion of the site that is proposed to be subdivided into 5 new pad sites is vacant and is contiguous to existing urban facilities and services and the integrity of existing neighborhoods will be ensured. The request furthers Policy II.B.5.e.

- C. Policy II.B.5.i.: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The applicant envisions additional commercial uses for the subject site. The subject site is located near adjacent to and nearby a cluster of other C-2 zoned lots which are configured to complement nearby residential areas. The proposed design standards proposed by the applicant generally meet the requirements of the Zoning Code and will serve to minimize any potential adverse impacts on residential environments. Therefore, the request furthers Policy II.B.5.i.

- D. Policy II.B.5.j.: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.

New commercial development that results from the proposed subdivision action will be located within an existing commercially zoned area, within a larger area-wide shopping center site at the intersection of Wyoming and Montgomery Blvd. which are designated minor arterial streets. Route #31, Wyoming route, and Route #98, Alameda-Wyoming-KAFB commuter route, pass the site on Wyoming Blvd. Therefore, the request furthers Policy II.B.5.j.

- E. Policy II.B.5.k.: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

The subject site is adjacent to two minor arterials and will be designed to minimize any harmful effects of traffic on nearby established residential neighborhoods. Transportation Staff provided comments that, when addressed, would help minimize harmful effects of traffic. The TIS form indicates that a traffic study is not required. The request furthers Policy II.B.5k.

- F. Policy II.B.5l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area.

The proposed design standards would require quality building materials and articulation, and would result in "modern" style buildings that would generally create quality. The request furthers Policy II.B.5l-quality design/new development.

6. The applicant requests that future site development plans for building permit for each tract be delegated to DRB for review and final sign-off.

7. The EPC has complete discretion over whether DRB delegation will be approved.
8. Design standards must be clear and provide sufficient direction with regard to the design and pad site layout direction for future requests for Site Development Plans for Building Permit.
9. The proposed design guidelines do not warrant delegation to DRB as they do not provide sufficient design and pad site layout direction for future requests for Site Development Plans for Building Permit.
10. The Loma Del Rey Neighborhood Association and District 7 Coalition of Neighborhood Associations as well as property owners within 100' of the subject were notified of this request. A facilitated meeting was not recommended by the Office of Neighborhood Coordination.
11. Staff received written public comments from the property owner directly north of the subject site stating that they were not in agreement with the proposed request for a site development plan for subdivision amendment, future improvements to the existing 20' public alley that will be required by the Traffic Engineering Department, as well as the potential for alcohol sales to take place on the subject site.
12. At the November 12, 2015 public hearing, the EPC voted to continue the Site Development Plan for Subdivision Amendment request for 60 days to the January 14, 2016 public hearing to allow time for a facilitated meeting to occur and for Planning Staff to conduct additional research regarding a previously vacated alley on the subject site.
13. A facilitated meeting was held during the continuance period. The surrounding neighborhood associations generally support the proposal. While the Church proposed that the City require another shopping center access farther south, expressed concerns regarding overflow parking onto their lot from future shopping center users and raised the possibility of having a half-wall on their southwest boundary to discourage overflow parking on their site.
14. Facilitated meeting attendees agreed to meet again on January 6 at 2 PM to continue the discussion of the use of the alley and traffic routing options as well as review alternative site design layouts from the applicant to attempt to address the church's concerns.

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15. Staff notes that the scheduling of this meeting will not allow enough time for a finalized facilitator meeting report to be issued for inclusion in the Supplemental Staff Report prior to the EPC case distribution on Thursday January 7, 2016.
 16. The attorney representing Legacy Church (Steve Smothermon) presented a Notice of Decision for File # Z-77-165 / V-77-41 and claimed that the existing 20' public alley that bisects the subject site and the Church's property should have been vacated in 1977.
 17. Additional staff research has confirmed that File # Z-77-165 / V-77-41 did result in the vacation and relocation of an existing alley on the subject site that met the following conditions
 - A. Submittal of a summary plat which combines the northerly portion with the balance of the parcel;
 - B. Relocation of the alley in accordance with the Traffic Engineering requirements.
 18. A summary plat that combined the northerly portion with the balance of the parcel and relocated the alley approximately 100' north of its previous location in accordance with Traffic Engineering requirements was approved on May 10, 1978 (SP-78-297 / D8-127) and recorded with the Bernalillo County Clerk on May 22, 1978. The replat to vacate the alley dedicated the right-of-way for the subject alley.
 19. The existing 20' public alley that bisects the subject site and the Church property to the north is located in accordance with the appropriate EPC N.O.D. for File # Z-77-165 / V-77-41 dated November 21, 1977.

RECOMMENDATION – 15EPC-40032 – January 14, 2016

APPROVAL of 15EPC-40032, a request for Site Development Plan for Subdivision Amendment, for Tract A-1 Re-division of Tract A (now comprising Tracts A1 & A2), the southwesterly portion of Tract A-1, all of Tract 1 excluding the northerly portion & excluding those portions adjacent to the south & east out to right-of-way, based on the preceding Findings and subject to the following Conditions of Approval.

***CONDITIONS OF APPROVAL – 15EPC-40032 – January 14, 2016 - Site Development Plan for
Subdivision Amendment***

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Conditions of Approval for Design Standards Section:
 - A. All references made within the site development plan for subdivision to applicable sections of the City of Albuquerque Comprehensive Zoning Code shall list/identify the full corresponding name of that section of the Zoning Code within the design standards section.
 - B. Section II. – Setbacks & Building Height Limitations shall be revised to state that building heights are regulated by Section 14-16-2-15(C)(1) – Office & Institution Zone which allows a maximum building height of 26', however, any structure over 26' must fall within 45 degree angle planes drawn from the horizontal at the mean grade along each internal boundary of the premises and each adjacent public right-of-way centerline. Additionally, structures shall not exceed 26' within 85' of a lot zoned specifically for houses.
 - C. Section III. – Parking shall be revised to include a note stating that all off-street parking areas shall comply with all First Flush Drainage Ordinance requirements as well as a section outlining conformance with Designated Disabled Parking Space requirements.
 - D. Section IV.(a)(ii) – Pedestrian Connections & Amenities shall be revised to reference the correct 6.75 total site acreage. It currently reads that the site contains a total of 5 acres.
 - E. The title for Section VI. – Walls & Fences shall be revised to read "Walls, Fences & Screening", provide more detail regarding specific materials to be used for trash enclosures, and item 1. be revised to cite the specific city Drainage Ordinance number.
 - F. Section VIII. – Architecture shall be revised to include information outlining the proposed FAR for the subject site as required by the Zoning Code.

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- G. Section X.(f) – Signage shall be revised to reflect the Zoning Code requirements of Section 14-16-3-2(B)(4) which states that only one free-standing sign for every 300 linear feet of frontage along an arterial is allowed.
- H. The Conceptual Drainage Plan shall be revised to include drainage details for the southwesterly portion of Tract A-1 and the southeasterly portion of Tract A-1.
4. The subdivision of the site shall comply with the purpose, intent, and regulations of the Subdivision Ordinance (14-14-1-3)."
5. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.
6. Conditions of Approval – Water Utility Authority, Utility Services:
- An availability statement is required and can be made at the following link: http://www.abcwua.org/Availability_Statements.aspx. Requests shall include fire flow requirements from the fire marshal.
 - The Utility Plan indicates public sanitary sewer onsite. This will not be acceptable.
7. Conditions of Approval – City Engineer, Transportation Development:
- Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
 - Developer shall finalize and follow the requirements as per the approved Traffic Impact Study. As part of the Traffic Impact Study, it was requested to investigate possibility of improvements at the Wyoming/Montgomery intersection. It was also requested to investigate moving the southern access way from Wyoming Boulevard to the north such that it will possibly line up with the driveway access into Quarters. Cross-access agreement with the neighboring church to the north is required for the proposed plan.
 - Developer must coordinate with the property located to the north regarding the entrance along the existing alley. A shared access to Wyoming must be built with this development.
 - The access located on the south edge along Wyoming needs to be modified to be perpendicular to the roadway.

- Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development, as required by the Development Review Board (DRB)
- Additional right-of-way must be dedicated to widen the existing alley to provide two-way traffic along the west of the property and to provide for an adequate entrance from Wyoming Blvd.
- The existing access (located on the SE corner of the property) to the Bank parcel needs to be modified to be perpendicular to the roadway.

8. Conditions of Approval – City Engineer, Hydrology Development:

- EPC project # 1010550; A full G&D plan review meeting the following criteria and other criteria stated in the Development Process Manual Chapter 22 and the design guidelines given in Standard Specifications will be required before grading can commence.

9. Conditions for Approval for Project – Public Service Company of New Mexico:

- As individual pad sites develop, coordination with PNM will be necessary regarding proposed tree species, the height at maturity and tree placement along the western boundary of the property in order to ensure sufficient safety clearances and to avoid interference between trees and the existing distribution facilities.



***Vicente M. Quevedo
Planner***

Notice of Decision cc list:

Tierra West, LLC, 5571 Midway Park Place NE, Albuquerque, NM 87109
W & M Company, Bill Gunther, 8220 La Miranda Rd. NE, Suite 300, Albuquerque, NM 87109
Brian Eagan, 8416 Hilton Ave NE, Apt 4B, Albuquerque, NM 87111
William E. Burk, III, 9617 La Playa NE, Albuquerque, NM 87111
Janice Arnold-Jones, 7713 Sierra Azul NE, Albuquerque, NM 87110
Lynne Martin, 1531 Espejo NE, Albuquerque, NM 87112
Steve Smothermon, 7201 Central Ave. NW, Albuquerque, NM 87121

ADDITIONAL STAFF INFORMATION

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
600 2nd Street NW, 3rd Floor, 87102
P.O. Box 1293, Albuquerque, NM 87103
Office (505) 924-3860 Fax (505) 924-3339



OFFICIAL NOTIFICATION OF DECISION

November 13, 2015

W & M Company
ATTN: Bill Gunther
8220 La Mirada Rd NE, Suite 300
ABQ, NM 87109

Project# 1010550
15EPC-40032 Site Development Plan for Subdivision

LEGAL DESCRIPTION:

For all or a portion of Tract A-1 Redivision of Tract A (now comprising Tracts A1 & A2), the southwesterly portion of Tract A-1, all of Tract 1 excluding the northerly portion & excluding those portions adjacent to the south & east out to right-of-way, zoned C-2, located on Wyoming Blvd. NE, between Montgomery Blvd. NE & Osuna Rd. NE, containing approximately 6.75 acres. (F-19)

Staff Planner: Vicente Quevedo

Albuquerque On November 12, 2015, the Environmental Planning Commission (EPC) voted to CONTINUE Project #1010550/15EPC-40032, a Site Development Plan for Subdivision, based on the following finding:

New Mexico 87103 1. A 60 day deferral to the January 14, 2015 EPC public hearing is necessary to consider issues relating to the northern access and to encourage a facilitated meeting between the applicant and the property owner to the north.

www.cabq.gov

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **NOVEMBER 30, 2015**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4.4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time

OFFICIAL NOTICE OF DECISION

Project #1010550

November 12, 2015

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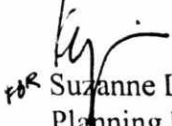
of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced application(s).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,


Suzanne Lubar
Planning Director

SL/VQ

cc: Tierra West, LLC, 5571 Midway Park Pl. NE, ABQ, NM 87109
Brian A. Eagan, Loma Del Rey NA, 8416 Hilton Ave NE, Apt. 4B, ABQ, NM 87111
William E. Burk, III, Loma Del Rey NA, 9617 La Playa NE, ABQ, NM 87111
Janice Arnold-Jones, Dist. 7 Coalition of NA's, 7713 Sierra Azul NE, ABQ, NM 87110
Lynne Martin, Dist. 7 Coalition of NA's, 1531 Espejo NE, ABQ, NM 87112
Richard Leverick, 5120 San Francisco NE, ABQ, NM 87109

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM

PROJECT MEETING REPORT

Project #: 1010550
Property Description/Address: Tract A-1, W side of Wyoming, N of Montgomery
Date Submitted: December 19, 2015
Submitted By: David Gold
Meeting Date/Time: December 17, 2015, 12-2 PM
Meeting Location: ADR Conference Room
City Hall
Facilitator: David Gold
Co-facilitator: Jessie Lawrence

Parties:

- **Applicant**
 - Ron Bohannon for Tierra West LLC
 - W & M Company
- **Neighborhood Associations/Interested Parties:**
 - Loma del Rey NA (LRNA)
 - District 7 Coalitions of NAs (D7CNA)

Meeting Summary:

The Applicant seeks approval of a Site Development Plan for Subdivision. The Legacy Church is the adjacent neighbor to the north. The developer proposed to use a city owned alley between them, as a shared north access. The Church currently uses this for access, has large services, multiple times a week, and hires off-duty police to direct exiting traffic. The Church is concerned that the shared access will inhibit their ability to safely move traffic. In addition, there have been years of difficult relations between the Church and the property owners. Other concerns of the Church include overflow parking, and potential alcohol sales.

Representatives of the LRNA spoke expressed their strong support for the project.

The tone of the meeting was cordial and positive. The developers showed a traffic flow proposal that may be acceptable to the Church. Both sides agreed to work as good neighbors to handle parking issues. Important steps were taken to repair the difficult communication in the past.

Note: The meeting was assisted by City engineering and legal staff. They spoke in an advisory capacity only. They made it clear that they were part of the conversation, but were not giving final rulings or opinions.

Outcome:

- Areas of Agreement

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM

PROJECT MEETING REPORT

- The attendees agreed to evaluate the traffic proposal described below.
 - Attendees agreed to work together as “good neighbors” to address parking issues.
 - Attendees generally approved of the shopping center development, and saw it as an improvement to the current use, which is an empty lot.
- Unresolved Issues & Concerns
 - Concerns about alcohol sales were expressed by the church. The Neighborhood Association attendees approved of alcohol sales.
- Suggested Alternatives
 - Use a separate access for the shopping center

Meeting Specifics

1) General

- The project is near the NW Corner of Montgomery and Wyoming NE.
- It has been a vacant lot for a number of years.
- The proposed subdivision is for 5 pads.
- The developer envision C2 uses, such as restaurants and office space.
- South of the proposed subdivision are existing ground leases for McDonald’s and Wells Fargo Bank.

2) Strained Relations Between the Parties and Resulting Mistrust

- Prior strained relations and the timing of notification resulted in mistrust on the part of the Church.
- The church and prior owners over a period of years had occasionally used the empty shopping center lot for overflow parking. 4 years ago the son of one of the owners had threatened to tow all of the cars on the lot. There were other similar threats over time.
- The Church was not included in discussions between the developer and the City, so felt they did not have sufficient time or discussion to evaluate proposals.
- In this meeting, initially prior issues flavored the interactions to some extent. However, the meeting provided an opportunity for discussion that was embraced by all parties. As a result the discussion was positive and the prior ill-will and mistrust played a diminishing role.

3) Access and Easement Concerns

- The City owns a 20’ alley easement between the Legacy Church to the North and the proposed subdivision. It continues on the west side of the subdivision to Montgomery. The shopping center wishes to use the alley, with improvements for access.

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PROJECT MEETING REPORT

- The curb cut is slightly offset slightly to the north from the center of the easement. As a result, it is not well aligned to the median opening that serves Gutierrez Rd., across Wyoming. This was installed 35 years ago, so it is not clear to anyone now, why this misalignment was chosen.
- The Legacy Church situation is:
 - They have meetings Sunday, Tuesday and Friday, where over 500 cars leave their facility. They have access points on the north and south side of their facility.
 - To handle traffic they hire off-duty police who temporarily close the right-most Wyoming lane. Cars leave for approximately 20 minutes and head south which prevents crossing Wyoming. (Note: A neighborhood representative said he has seen cars cross Wyoming and head north.)
- The Legacy Church had concerns and proposed:
 - Leave their south access alone.
 - Build another shopping center access farther south, but north of the existing access.
 - This would allow them to still use off-duty police to handle their traffic safely.
 - This would also eliminate cross-traffic entering the shopping center from Wyoming, which could create problems.
 - They were also concerned about how cars in the southwest parking area would exit onto the common alley.
 - They noted that they have a walking path between their two buildings and were concerned that cars would be backed up internally, and to cross their path.
- The City engineering staff advised about the Legacy proposal:
 - It would create a less preferable traffic situation to have multiple accesses close together, than a single access.
 - There is no median cut where the proposed entrance would be located.
 - The closer it was to Montgomery the worse it would be, because there is a lot of traffic backup and queuing nearer to the intersection.
- The developers with City attendees proposed:
 - Use the existing alley opening. Move the curb cut to a better alignment with the median opening.
 - Share this access point with the church.
 - Widen the alley from 20' to 30'. Move the alley slightly south. This would allow the church to add 19 more parking spaces.
 - Encourage exiting Church attendees to also drive directly south using the shopping center internal road and the west alley access that both run directly to Montgomery.
- They attempted to address the Legacy Church concerns:

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LAND USE FACILITATION PROGRAM

PROJECT MEETING REPORT

- The ability to people to exit the Church would increase due to the two north-south connections to Montgomery provided by the project.
- The owners agreed that the Church could still use off-duty police to direct traffic at their common access point. They City attendees also agreed.
- The northwest parking lot would also have sufficient circulation to allow cars to exit safely.
- A community representative pointed out that it would improve circulation on the west alley if it was visually more appealing.
 - She understood that one side was a wall from the residences west of the alley.
 - The developer responded out that there would be landscaping, and seemed interested in considering her thoughts.
- The Church representatives felt that the developer proposal of a shared access might have merit and wished to analyze it further.

4) Parking

- The Church expressed concerns that overflow shopping parking would end up in the church lot, and that it would create a functional obsolescence for up to 10-15% of their parking.
- They also had infrequent needs for overflow parking and were concerned that the shopping center merchants would tow their vehicles, based on past statements.
- The neighborhood attendee felt that they could be good neighbors, and there was no need for issues.
- The shopping center owner agreed, and said while he could not speak for his tenants if parking was abused, overall they felt it would be best if they had good relations with Church attendees, and saw no value in towing cars.
 - They noted the Church attendees were likely to be customers of the mall, and wished to have good relations with them and the Church.
 - They stated that city code requires the shopping center to have sufficient parking, so overflow into the church was unlikely.
- The Church also stated they did not wish to tow overflow shopping center parking. However they looked at the possibility of having a half-wall on their southwest boundary to discourage overflow.
 - They expressed concern that the City might review plans for the wall and require dramatic changes to the church access, especially on the southwest side.
 - The developer and City attendees agreed to incorporate the proposed wall into their plans, so the entire project could be passed as one unit. This would avoid complications for the Church later.

5) Alcohol

- The Church was concerned about having alcohol served by restaurants in this project.

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LAND USE FACILITATION PROGRAM

PROJECT MEETING REPORT

- The neighborhood representative stated the area was already “awash in alcohol” and saw no issue with additional alcohol. He pointed out that the alcohol would be decided at a license hearing.

6) Positive Views of the Project

- The neighborhood representatives were strongly supportive of the project, and felt it would be a significant improvement to the neighborhood.
- The Church felt that the development was an improvement for the neighborhood instead of the current empty lot.

Next Steps: (see below)

Action Plan:

- The group agreed to reconvene in the ADR conference room, January 6th from 2-4.
- The developer will create a revised plan that includes the half wall on the southwest side of the Church. It will be sent out the week of 12/21.
- The Church will analyze the proposed shared access point, from the standpoint of traffic circulation.

Action Items: (no additional).

Application Hearing Details:

1. Hearing scheduled for January 14, 2016
2. Hearing Time:
 - a. The Commission will begin hearing applications at 8:30 a.m.
 - b. The actual time this application will be heard by the Commission will depend on the Applicant’s position on the Commission’s schedule
3. Hearing Process:
 - a. Comments from facilitated meetings will go into a report, which goes to the City Planner.
 - b. City Planner includes facilitator report in recommendations.
 - c. The Commission will make a decision and parties have 15 days to appeal the decision.
4. Resident Participation at Hearing:

Written comments must be received by January 7 to be included in the planners report, and may be sent to: Vicente Quevedo 505-924-3357 vquevedo@cabq.gov, 600 2nd St., 3rd floor, Albuquerque, NM, 87102

OR

Peter Nichols, Chair, EPC, c/o Planning Department, 600 2nd St., 3rd floor, Albuquerque, NM, 87102

CITY OF ALBUQUERQUE

LAND USE FACILITATION PROGRAM

PROJECT MEETING REPORT

Names & Affiliations of Attendees:

Brian Eagan	LRNA
Carol Orona	LRNA
Steve Smothermon	Legacy
Ric Leverick	Atty for Legacy
Daniel McCabe	Legacy
Ron Bohannon	Agent
Marc Mauney	Owner
Paul Matteucci	Owner
Christopher R. Gunning	Agent
Thomas Bonham	Atty for Owner
Joel Hernandez	Agent
Shahab Biazar	
Racquel M. Michel	
Blake Whitcomb	

OFFICIAL NOTICE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
Box 1293, Albuquerque, NM 87103

Date November 21, 1977

NOTIFICATION OF DECISION

M-M Company
300 San Mateo, N.E., Suite 500
Albuquerque, New Mexico 87108

Attention: Vance Mauney

File: Z-77-165 (V-77-41)

Location: Tract 2, Los Pastores Shopping Center
and a parcel of land in the NE/4 SE/4 SE/4, Sec.
31, T11N, R4E; and the vacation of the east-
west alley immediately north of Los Pastores
Shopping Center

At their meeting of November 17, 1977, the Environmental Planning Commission approved the above mentioned requests, thereby changing the zoning to C-2 and vacating the alley subject to the following conditions: 1. Submittal of a summary plat which combines the northerly portion with the balance of the parcel; 2. Relocation of the alley in accordance with the Traffic Engineer's requirements.

If you wish to appeal this decision, you may do so by 12-2-77 in the manner described below. A non-refundable filing fee of \$25 is required at the time of application.

- A. Appeal to Planning Commission. Any person aggrieved with any determination of the City staff acting under the Subdivision Ordinance may appeal to the Planning Commission by submitting written application on the Planning Department form to the Planning Department within 15 days after the date of the staff's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard and decided by the Planning Commission within 60 days of its filing.
- B. Appeal to City Council. Any person aggrieved with any determination of the Planning Commission acting under this ordinance may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision (such 15 day period to be determined as in A. above). The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinance have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 60 days of its filing.

You will receive notice if another person files an appeal. If there is no appeal you can receive building permits any time after the appeal deadline quoted above provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the referenced application(s).

Sincerely,

Bea Gutierrez
Board Secretary

cc: Charles Goy, 4612 Norma Dr., N.E. 87109
Property Management

Letter of
Advice

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT

AGENDA ITEM NO. 12

ENVIRONMENTAL PLANNING COMMISSION
November 17, 1977
Z-77-165, V-77-41

Z-77-165 Vance Mauney, agent for M-M Co., requests a change of zone from P-1 to C-2 for Tract 2, Los Pastores
V-77-41 Shopping Center and R-1 to C-2 for a parcel of land in the NE/4 SE/4 SE/4, Section 31, T11N, R4E;
and the vacation (closing) of the east-west alley immediately north of Los Pastores Shopping Center,
all located on the west side of Wyoming Boulevard, N.E., between Montgomery Boulevard and Northridge
Avenue, containing approximately 3.8 acres.

PL Map No.: F-19

Material: Report, Sketch, Aerial Photo, Application

COMMENTS FROM OTHER DEPARTMENTS:

City Engineer:

"1. Require drainage study prior to approval of development and/or building plans. 2. The requestor should be made aware of the wall heights between commercial and residential properties."

Liquid Waste Engineer:

"No comment at this time."

Water Engineer:

"No comment at this time."

Traffic Engineer:

"Either the entire alley (both N-S and E-W) should be vacated or else an E-W connection to Wyoming be provided. A long dead-end alley, even with a cul-de-sac, is not desirable. Deceleration and/or turn lanes may be required when a development site plan is submitted. Also, median opening locations should be coordinated with the Traffic Engineering Division."

COG:

"We would suggest vacation of the entire length of the alley (both east-west and north-south segments) if not needed for access to the R-1 area. If the north-south portion of the alley must be maintained, then an east-west connection to Wyoming should be provided. The future development plan for this area should give consideration to deceleration/turn lanes on Montgomery and on Wyoming."

Department of Transportation:

No reply received.

AMAFCA:

"Drainage plan in compliance with A.M.A.F.C.A. Resolution 1972-2 will be required."

Environmental Health:

"Access to this property should be designed such that it will not impede traffic on either Wyoming or Montgomery Boulevards. Noise and lighting nuisances could become a problem to the residents abutting this property to the west. A top soil permit is required prior to any earth work."

Fire Department:

"Hydrants required."

Parks & Recreation Department:

No reply received.

City Real Estate Officer:

No reply received.

Albuquerque Public Schools:

"No comment."

Mountain Bell:

"Mountain Bell has no objection to this action provided easement rights are retained."

Public Service Co. of N.M.:

"PNM currently has no major facilities within this area and therefore has no objection to this request."

Gas Company of New Mexico:

"The Gas Company of New Mexico approves the plat for V-77-41."

PLANNING DEPARTMENT COMMENTS TO ENVIRONMENTAL PLANNING COMMISSION 11-17-77:

Under review are requests to rezone a 3.8 acre parcel from P-1 and R-1 to C-2 situated on the west side of Wyoming Boulevard. The vacation of the east-west alley at the northerly portion of the site is also requested.

Zoning History:

In 1963 (Z-1238), P-1 and C-2 zoning was granted for a shopping center on the subject property along with a plat for Los Pastores Shopping Center (S-1214). The P-1 portion of the approval was a standard zoning approach to maintain parking areas within a shopping center.

The church under construction to the north of the R-1 to C-2 rezoning request was granted SU zoning earlier this year (Z-77-68) for a church and incidental facilities. Prior to the rezoning the parcel was zoned for R-1 development.

Area Land Use:

All four intersections of Montgomery Boulevard and Wyoming Boulevard are zoned for commercial development (C-2), with three of those corners developed. The land immediately to the west of the subject property (Pra-Con Heights) is fully developed in the R-1 zone. The 150 foot strip under rezoning review north of the alley is under the ownership of the shopping center developer and logically could not be developed in its current zoning designation. Single family platting and development is found directly across Wyoming Boulevard along Gutierrez Road. Only a bank is located on the property.

Staff Position:

In reviewing this request, staff can justify support of the rezoning requests since C-2 zoning would be entirely consistent with the area's development and create an improved internal zoning pattern for the shopping center; however, the alley vacation, as proposed, must be viewed in an unfavorable light. The Planning Department and the Traffic Engineer require that public access be maintained from Wyoming Boulevard to the north-south alley west of the property. The cul-de-sac idea on the north end of the north-south alley, as proposed by the developer,

SP-78-297

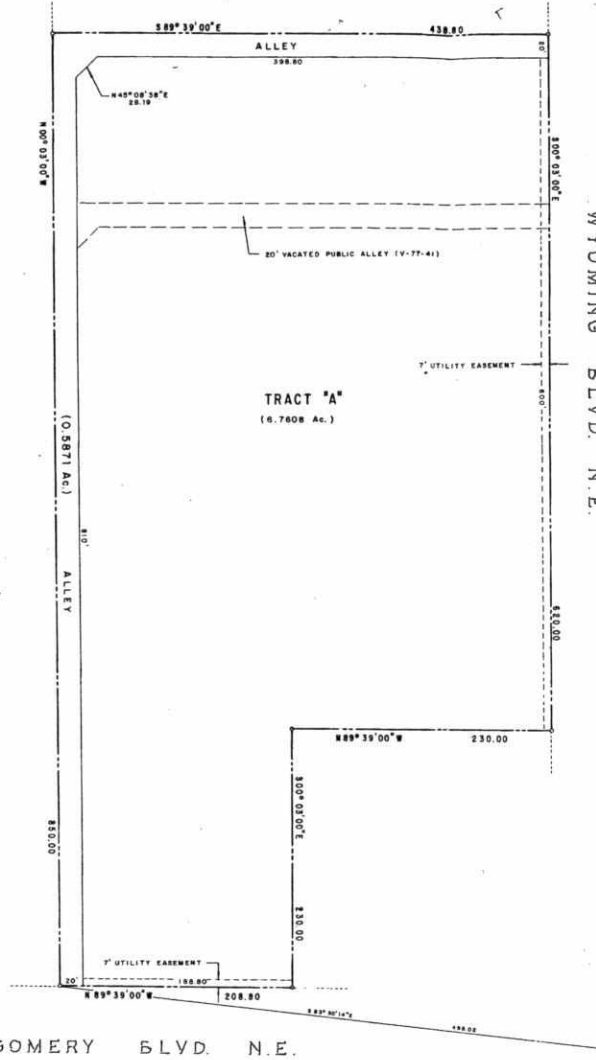


LOG #3-78-183

78 38636

REPLAT
OF
TRACT 3 & A PORTION OF
TRACT 1 & 2 OF
LOS PASTORES
SHOPPING CENTER
TOGETHER WITH
LANDS OF VANCE MAUNEY
AND
GINO J. MATTEUCCI
NOW COMPRISING
TRACT "A"
OF
LOS PASTORES SHOPPING CENTER

State of New Mexico
County of Bernalillo
This instrument was filed for record on
MAY 22 1978
At [unclear] Co. Recorded in Vol. 28
of [unclear] of Bernalillo County Filed 127
[unclear] Clerk & Recorder
Deputy Clerk



DEDICATION

The undersigned owners of the land hereon shown do hereby consent to the replat of the land hereon shown, Tract 3 and a portion of Tract 1 & 2 of Los Pastores Shopping Center, an addition to the City of Albuquerque, New Mexico, as the same is shown and designated on the plat of said subdivision filed in the office of the County Clerk of Bernalillo County, New Mexico, on January 14, 1965, (conforming with the adjoining tract of Vance Mauney & Gino J. Matteucci situated in the City of Albuquerque, New Mexico, as the same is designated on Quade-claim Deed 41368 (Volume 0938, Folio 615) as filed in the office of the County Clerk of Bernalillo County, New Mexico, on March 29, 1975, and now comprising Tract "A" of Los Pastores Shopping Center and being more particularly described as follows:

Beginning for a tie, at the S.W. corner of the tract herein set forth said point being on the north right-of-way of Montgomery Boulevard N.E., from whence the S.E. corner of Section 31, T. 11 N., R. 4 E., S. 40, N.M.P.M., bears S 83°30'14" E, 495.02 feet; thence N 30°03'00" W, 850.00 feet; thence S 89°39'00" E, 438.50 feet to a point on the west right-of-way of Wyoming Boulevard N.E.; thence S 00°03'00" E, 620.00 feet along said right-of-way; thence N 89°39'00" W, 230.00 feet; thence S 00°03'00" E, 230.00 feet to a point on the north right-of-way of Montgomery Boulevard N.E.; thence N 89°39'00" W, 208.80 feet along said right-of-way to the point of beginning of the tract herein set forth, and containing 7.3479 acres, more or less, and is with the free consent and in accordance with the desires of the undersigned owners and proprietors thereof and said owners and proprietors do hereby dedicate the public alleyways shown hereon including the right of ingress, egress, maintenance, and the right to trim interfering trees.

OWNERS

M-N Co., Partnership

By: *Gino J. Matteucci* Partner
Lidia Matteucci Partner
Vance Mauney Partner
Helen S. Mauney Partner

PARTNERSHIP

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

The foregoing instrument was acknowledged before me this 12th day of May, 1978, by Gino J. Matteucci, Lidia Matteucci, Vance Mauney, and Helen S. Mauney, partners in M-N Co., a partnership on behalf of said partnership.

Shirley A. Schubert
Notary Public

My Commission Expires: 5-4-80

MEURER, SERAFINI AND MEURER, INC.
CONSULTING ENGINEERS • SURVEYORS • PLANNERS
2001 Montgomery Blvd., N.E. Albuquerque, New Mexico 87110
(505) 226-1000

DATE: 5-10-78	BY: [Signature]
DATE: 5-10-78	BY: [Signature]
DATE: 5-10-78	BY: [Signature]

I, Robert D. Aldrich, New Mexico Registered Land Surveyor Number 5817, do hereby certify that the plat shown hereon was prepared under my supervision and that the same is true and correct to the best of my knowledge and belief.

Robert D. Aldrich
Robert D. Aldrich, REG. NO. 5817



APPROVAL AND FILING WITH THE COUNTY CLERK OF BERNALILLO COUNTY IF THIS PLAT DOES NOT VACATE OR IN ANY WAY AFFECT PUBLIC OR PRIVATE EASEMENTS.

COVAL AND CONDITIONAL ACCEPTANCE, as specified in Subsection 22.A.20, the Albuquerque Subdivision Ordinance.

By: *Robert D. Aldrich* City Director, City of Albuquerque, NM
Division No. 5-19-78 Map No. F-19
Revision No. SP-78-297
City

COVALS, as specified by Subsection 22.A of the quaque Subdivision Ordinance.

Robert D. Aldrich 5-10-78
Status Telephone Date
Graph Co. 5-10-78
Service Co. of N.M. Date
5-10-78 Date
5-10-78 Date
City Management Date

5-127

990437



Environmental Planning Commission

Agenda Number: 03
Project Number: 1010550
Case #: 15EPC-40032
November 12, 2015

Staff Report

Agent	Tierra West, LLC
Applicant	W & M Company
Request	Amendment to Site Development Plan for Subdivision
Legal Description	Tract A-1 Redivision of Tract A (now comprising Tracts A1 & A2), the southwesterly portion of Tract A-1, all of Tract 1 excluding the northerly portion & excluding those portions adjacent to the south & east out to right-of-way
Location	On Wyoming Blvd. NE, between Montgomery Blvd. NE and Osuna Rd. NE
Size	Approximately 6.75 acres
Existing Zoning	C-2 (SC)
Proposed Zoning	No change

Staff Recommendation

APPROVAL of Case # 15EPC-40032 based on the Findings beginning on Page #10, and subject to the Conditions of Approval beginning on Page #12.

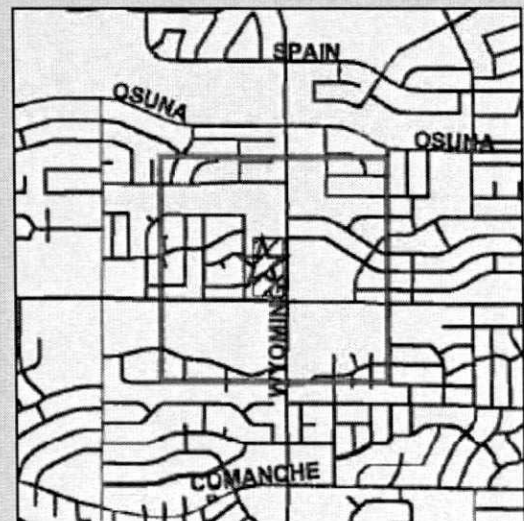
Staff Planner
Vicente M. Quevedo, Planner

Summary of Analysis

The request is for a site development plan for subdivision (SDPS) amendment with design standards for an approximately 6.75 acre site. The request would subdivide the undeveloped portions of the subject site into 5 separate pad sites. The applicant envisions additional commercial uses on the subject site.

The subject site is in the Established Urban area of the Comprehensive Plan. Overall, Staff finds that the request generally furthers applicable Goals and policies. Neighbors and property owners were notified as required. Staff received comments from the property owner to the north of the subject site.

The applicant requests that future site development plans for building permit for each tract be delegated to DRB for review and final sign-off. Staff is recommending approval of the requested amendment subject to conditions.



City Departments and other interested agencies reviewed this application from 08/03/15 to 08/14/15
Agency comments used in the preparation of this report begin on Page #16.



ZONING MAP

Note: Grey shading
indicates County.



1 inch = 400 feet

Project Number:

1010550

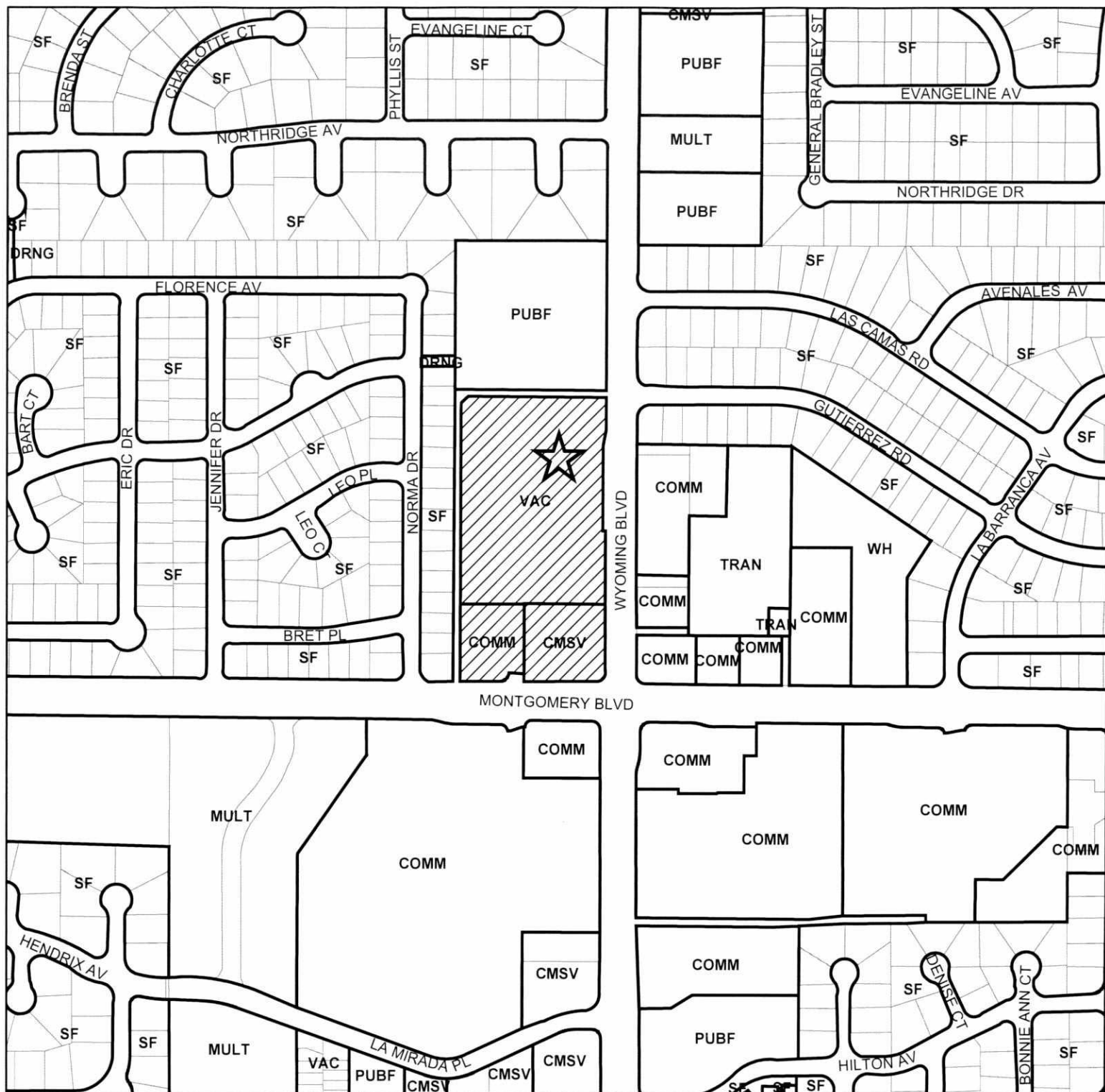
Hearing Date:

11/12/2015

Zone Map Page: F-19

Additional Case Numbers:

15-40032



LAND USE MAP

Note: Grey shading
indicates County.

KEY to Land Use Abbreviations

AGRI Agriculture
 COMM Commercial - Retail
 CMSV Commercial - Service
 DRNG Drainage
 MFG Manufacturing
 MULT Multi-Family or Group Home
 PARK Park, Recreation, or Open Space
 PRKG Parking
 PUBF Public Facility
 SF Single Family
 TRAN Transportation Facility
 VAC Vacant Land or Abandoned Buildings
 WH Warehousing & Storage



1 inch = 400 feet

Project Number:

1010550

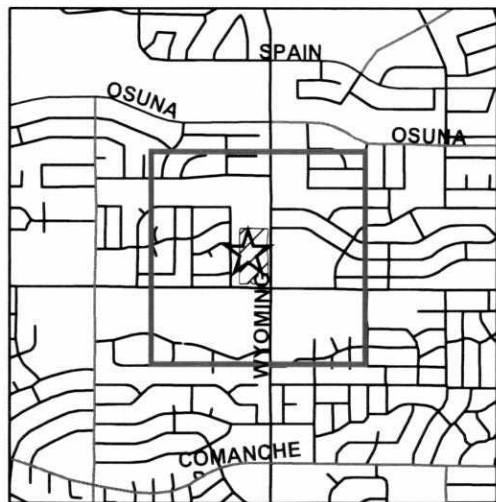
Hearing Date:

11/12/2015

Zone Map Page: F-19





















Additional Case Numbers:

15-40032





Public Facilities Map with One-Mile Buffer

- | | | | |
|---|---|--|---|
|  COMMUNITY CENTER |  FIRE |  APS Schools |  Landfill Buffer (1000 feet) |
|  MULTI-SERVICE CENTER |  POLICE |  ABQ Ride Routes |  Landfills designated by EHD |
|  SENIOR CENTER |  SHERIFF |  ABQ Bike Facilities |  Developed County Park |
|  LIBRARY |  SOLID WASTE |  Proposed Bike Facilities |  Undeveloped County Park |
|  MUSEUM |  Albuquerque City Limits | |  Developed City Park |
| | | |  Undeveloped City Park |

Project Number: 1010550

0 0.5 1 Miles



I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	C-2 (SC)	Established Urban	Retail / Commercial Service, Vacant
North	SU-1 for Church and Related Facilities	Established Urban	Public / Institutional
South	C-2 (SC)	Established Urban	Commercial Retail
East	C-2	Established Urban	Commercial Retail
West	R-1	Established Urban	Single Family Residential

II. INTRODUCTION

Proposal

This is a request for an amendment to the Los Pastores Shopping Center site development plan for subdivision. The subject site is zoned C-2 (SC). The proposed amendments will subdivide the undeveloped portions of the subject site into five separate pad sites and establish necessary access and utility easements. Updated design standards are also proposed that would apply to the entire 6.75 acre shopping center site.

EPC Role

The request is a quasi-judicial matter. The Shopping Center (SC) Regulations Section §14-16-3-2(C) require the same approval process as an SU-1 zoned site. This request is being heard by the EPC because of the stated provision in the SC regulations. The SC Regulations do not allow the EPC to have discretion over building height or parking requirements which are regulated by the underlying C-2 zoning and any approved Site Development Plans. Free standing signage is regulated by the SC requirements of the Zoning Code, and wall mounted signage by the C-2 requirements of the Zoning Code.

In cases where an applicant has requested DRB delegation of future site development plans for building permit but has not specified whether an advertised or unadvertised hearing is required, the advertised public hearing schedule shall be used if delegation is granted by the EPC.

History/Background

A subdivision plan was originally approved in December 1962 and subdivided the subject site into three separate tracts (S-1214). The existing C-2 zoning was established for the subject site

in November 1977 (Z-77-165). In January 1980 the Los Pastores Shopping Center development plan was approved by the EPC with conditions. The only portions of the approved development plan that have been constructed are an existing fast food restaurant building on the southwesterly portion of Tract A-1 and a bank building on the southeasterly portion of Tract A-1.

Context

The subject site is bound on the north by an adjacent unpaved public alley and an existing church, on the east by Wyoming Blvd., on the south by Montgomery Blvd. and on the west by an adjacent unpaved public alley and a residential subdivision.

Transportation System

The 2013 Interim Long Range Roadway System (ILRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

The ILRRS designates Wyoming Blvd. & Montgomery Blvd. as Principal Arterials.

The ILRRS designates Gutierrez Rd. as a Local street.

Comprehensive Plan Corridor Designation

Montgomery Blvd. is designated a Major Transit Corridor with the goal to optimize public transit and move large numbers of people in a very timely and efficient manner.

Wyoming Blvd. is designated an Enhanced Transit Corridor with the goal to improve transit and pedestrian opportunities for residents, businesses and other users nearby.

Trails/Bikeways

The nearest existing bicycle lanes are located along Pennsylvania St. approximately .40 of a mile west of the subject site, and along Osuna Rd. approximately .30 of a mile north of the subject site. Bear Canyon Trail is located north of the subject site and north of Osuna Rd. approximately .36 of a mile from the subject site.

Transit

Route #31, Wyoming route, and Route #98, Alameda-Wyoming-KAFB commuter route, pass the site on Wyoming. Refer to Transit Agency comments for additional information.

Public Facilities/Community Services

There are four schools, a police station, and several developed City parks within a mile of the subject site. See the Public Facilities Map preceding this report for more details.

III. ANALYSIS - APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

Definitions (Zoning Code §14-16-1-5)

SHOPPING CENTER SITE. A premises containing five or more acres; zoned P, C-1, C-2, C-3, M-1, M-2, or a combination thereof; or a large retail facility; but excluding premises used and

proposed to be used only for manufacturing, assembling, treating, repairing, rebuilding, wholesaling, and warehousing. Shopping center sites are subject to the shopping center regulations of the Zoning Code, § 14-16-3-2.

SITE DEVELOPMENT PLAN FOR SUBDIVISION. An accurate plan at a scale of at least 1 inch to 100 feet which covers at least one lot and specifies the site, proposed use, pedestrian and vehicular ingress and egress, any internal circulation requirements and, for each lot, maximum building height, minimum building setback, and maximum total dwelling units and/or nonresidential uses' maximum floor area ratio.

Zoning

The existing zoning for the subject site is C-2 (SC). The C-2 zone provides suitable sites for offices, for most service and commercial activities, and for certain specified institutional uses. SC refers to Shopping Center regulations, which are found in Section 14-16-3-2 of the Zoning Code. The subject site must meet all of the Shopping Center regulations.

Albuquerque / Bernalillo County Comprehensive Plan

Policy Citations are in Regular Text; Staff Analysis is in ***Bold Italics***

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated Established Urban. The Goal of Developing and Established Urban Areas is "to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas and life styles, while creating a visually pleasing built environment." Applicable policies include:

Policy II.B.5.d.: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

The requested action is appropriately located adjacent to and nearby a cluster of other C-2 zoned lots, the intensity of which will not negatively impact existing residential development in the area. Carrying capacities are also appropriate for the area. Therefore, the request furthers Policy II.B.5.d.

Policy II.B.5.e.: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

The portion of the site that is proposed to be subdivided into 5 new pad sites is vacant and is contiguous to existing urban facilities and services and the integrity of existing neighborhoods will be ensured. The request furthers Policy II.B.5.e.

Policy II.B.5.i.: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The applicant envisions additional commercial uses for the subject site. The subject site is located near adjacent to and nearby a cluster of other C-2 zoned lots which are configured to complement nearby residential areas. The proposed design standards proposed by the applicant generally meet the requirements of the Zoning Code and will serve to minimize any potential adverse impacts on residential environments. Therefore, the request furthers Policy II.B.5.i.

Policy II.B.5.j.: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.

New commercial development that results from the proposed subdivision action will be located within an existing commercially zoned area, within a larger area-wide shopping center site at the intersection of Wyoming and Montgomery Blvd. which are designated minor arterial streets. Route #31, Wyoming route, and Route #98, Alameda-Wyoming-KAFB commuter route, pass the site on Wyoming Blvd. Therefore, the request furthers Policy II.B.5.j.

Policy II.B.5.k.: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

The subject site is adjacent to two minor arterials and will be designed to minimize any harmful effects of traffic on nearby established residential neighborhoods. Transportation Staff provided comments that, when addressed, would help minimize harmful effects of traffic. The TIS form indicates that a traffic study is not required. The request furthers Policy II.B.5k.

Policy II.B.5l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area.

The proposed design standards would require quality building materials and articulation, and would result in “modern” style buildings that would generally create quality. The request furthers Policy II.B.5l-quality design/new development.

IV. SITE DEVELOPMENT PLAN FOR SUBDIVISION AMENDMENT

Request

This is a request for an amendment to the Los Pastores Shopping Center site development plan for subdivision. The subject site is zoned C-2 (SC). The proposed amendments will subdivide the undeveloped portions of the subject site and establish necessary access and utility easements. Updated design standards are also proposed that would apply to the entire shopping center site. Once the current requested plan set receives final DRB sign-off, the new plan requirements will supersede the original 1980 EPC approved development plan requirements.

Section 14-16-3-11 of the Zoning Code states, "...Site Development Plans are expected to meet the requirements of adopted city policies and procedures." As such, staff has reviewed the attached site development plan for conformance with applicable goals and policies in the Comprehensive Plan and the Zoning Code.

Site Plan Layout / Configuration

The site development plan for subdivision proposes the creation of five new lots. Lots 1, 2 and 3 would have frontage along Wyoming Blvd.. Lots 4 and 5 would not as they comprise the western half of the site which is adjacent to residential lots to the west and an SU-1 site to the north. There is an existing access easement off of Montgomery Blvd. and a second one off of Wyoming Blvd. An additional access easement off of Wyoming is proposed along with a new access easement off of the existing 20' public alley way at the north end of the subject site which bisects the new proposed lots 1 through 5.

Zoning Code §14-16-1-5 defines a site development plan for subdivision as follows:

"An accurate plan at a scale of at least 1 inch to 100 feet which covers at least one lot and specifies the site, proposed use, pedestrian and vehicular ingress and egress, any internal circulation requirements and, for each lot, maximum building height, minimum building setback, and maximum total dwelling units and/or nonresidential uses' maximum floor area ratio."

The proposed site development plan for subdivision complies with this definition because the abovementioned categories are listed and adequately addressed.

Proposed Design Standards

Intent and Purpose (Section I.)

The stated purpose and intent of the proposed design standards are to create an aesthetically pleasing, pedestrian friendly, mixed use development that adds office, retail and restaurant amenities to the NW corner of Montgomery and Wyoming.

Setbacks & Building Height Limitations (Section II.)

The applicant states that there is no building height limitation for a lot in a C-2 zone, however, the Zoning Code states that building height is regulated by the O-1 zone which allows a maximum building height of 26', however, any structure over 26' must fall within 45 degree angle planes drawn from the horizontal at the mean grade along each internal boundary of the premises and each adjacent public right-of-way centerline. Additionally, structures shall not exceed 26' within 85' of a lot zoned specifically for houses. Therefore, the current statement regarding no building height limitation shall be stricken and revised to add a reference to the height limitations of the Zoning Code Section 14-16-2-15(C)(1) (Office and Institution Zone) shall be added to Section II of the proposed design standards.

The applicant also outlines adequate maximum 90' building setback requirements for lots along Wyoming Blvd. Landscape setbacks are proposed to conform to the General Landscaping Requirements of the Zoning Code except for parking areas along Wyoming Blvd. where a 15' setback from the public right-of-way for appropriate screening is proposed. Finally, the applicant proposes to allow building overhangs, patio walls and patio/plazas within building setback areas to allow for public and/or private gathering spaces.

Parking (Section III.)

The goal of the proposed parking design standards is to lessen their visual impact by breaking up parking areas into a series of smaller areas. To accomplish this goal, the applicant has stated that all off-street parking areas shall comply with Section 14-16-3-1 (General Off-Street Parking Regulations) of Zoning Code including 6 ft wide pedestrian connections to buildings and requiring parking to be placed behind buildings. Bicycle, motorcycle parking shall comply with off-street parking regulations and grading and drainage design of parking areas shall comply with Chapter 22 of the city's Development Process Manual (Drainage, Flood Control and Erosion Control). However, the SDPS will need to be revised to include a note stating that all off-street parking areas shall comply with all First Flush Drainage Ordinance requirements as well as a section outlining conformance with Designated Disabled Parking Space requirements.

Pedestrian Connections & Amenities (Section IV.)

These design standards are intended to help meet the applicant's goal of creating a pedestrian friendly atmosphere. All pedestrian connections are required to conform to Section H of the General Off-Street Parking Regulations of the Zoning Code the intent of which is to safely and conveniently accommodate the inter-related movement of vehicles, bicycles and pedestrians within a proposed development. This section of the Zoning Code also requires a minimum 6' pedestrian walkway width, that these walkways be provided from all street sidewalks to the main building entrance and that all buildings within a site be connected to each other with pedestrian walkways.

A minimum 200 sf of public space shall also be provided at each restaurant establishment for outdoor seating or gathering. The design standards also encourage shaded areas and spaces designated for public space/seating. Section IV.(a)(ii) identifies the site as a 5 acre site and will need to be revised to reference the correct 6.75 total acreage.

Landscaping (Section V.)

The intent of the landscaping design standards are to provide year round color and interest and reflect the natural environment of the New Mexico landscape. The applicant proposes to meet this intent by ensuring that drought tolerant plant species are used within landscaping areas selected from a specified palette and ensuring that all landscaping activities conform to the requirements of the Street Tree Ordinance and General Landscaping Regulations.

Walls & Fences (Section VI.)

Less attractive areas such as parking, refuse, utility items, mechanical equipment, loading docks, and substantial changes in grade shall be screened through the use of walls, fences, berms, or

dense evergreen foliage and must be designed to be integrated as part of the overall aesthetic. All screening elements must conform to the DPM Clear Site Triangle requirements and General Building and Site Design Regulations for Non-Residential Uses.

Staff recommends that the title of this section be revised to read “Walls, Fences & Screening”, that more detail be provided regarding specific materials to be used for trash enclosures and that item l. be revised to cite the specific city Drainage Ordinance number.

Utilities (Section VII.)

The goal of these design standards are to minimize the visual impact of utilities and equipment in order to ensure the overall aesthetic quality of future development. To achieve this goal, new electrical distribution lines shall be placed underground. Appropriate screening of items such as transformers, utility pads and telephone boxes shall be implemented. A Conceptual Utility Plan (Sheet MU-1) has also been provided by the applicant outlining all proposed utilities on the subject site. PNM commented that the applicant adequately addressed their concerns regarding screening and clearances, and that it is the applicant’s obligation to abide by any conditions or terms of all existing easements.

Architecture (Section VIII.)

High quality aesthetic character of the buildings on the subject site is the goal of the stated architectural design standards. A “modern” architectural style is proposed for the future buildings on the subject site and generic franchise architecture is prohibited. All buildings are required to have adequate articulation and continuous wall planes of over 100’ and must include architectural treatment elements such as an offset, or fenestration. Massing in the form of color variation or material distinction is also required. Quality materials appropriate to the New Mexico climate are required and prohibited external building materials such as engineered wood paneling and vinyl or plastic siding is prohibited. The Zoning Code requires that all SDPS include information regarding maximum FAR (Floor Area Ratio) yet no information has been included to address this requirement. The SDPS must be revised to include information outlining the proposed maximum FAR for the subject site.

Lighting (Section IX.)

The primary design objective of the lighting design standards is to maximize public safety without impacting adjacent properties, buildings, or roadways with unnecessary glare or reflection. All site lighting shall comply with Section 14-16-3-9 (Area Lighting Regulations) of the Zoning Code as well as all New Mexico Sky Lighting Protection Act requirements. Lighting Plans are required for all Site Development Plans for Building Permit.

Signage (Section X.)

The subject site is greater than 5 acres in size and is zoned C-2, so it is a shopping center (SC) site by definition. Pursuant to 14-16-3-2(B)(4), a shopping center site is allowed one free-standing sign for every 300 linear feet of frontage along an arterial and the maximum signable area shall be 150 sf. The EPC does not have discretion over signage.

Wyoming Blvd. is an arterial and the site frontage measures approximately 804 linear feet so two signs are allowed. Additionally Montgomery Blvd. is an arterial and the site frontage measures approximately 417 feet so a total of one sign is allowed. However, there are currently two off-premise signs and two free standing signs along Wyoming Blvd. There are two free standing signs along Montgomery Blvd. which exceeds the maximum allowed per the Zoning Code.

The applicant has proposed that all signage shall comply with Zoning Code Section 14-16-3-5 (General Sign Regulations) and has stated that all signage shall also comply with Zoning Code Section 14-16-3-2(B)(4) (Shopping Center Regulations). However, there is a conflict with the additional proposed language which stating that “*one monument sign.....is permissible at multiple points of entry from Wyoming Blvd. when distances from each sign is greater than 300 ft*”. This is due to the fact that the Zoning Code clearly states that “*one free-standing sign for every 300 linear feet of frontage along an arterial*” meaning that the two existing free standing signs along Wyoming Blvd. already meet the maximum allowed signage, and the EPC does not have discretion to modify this requirement of the Shopping Center Regulations. Therefore, letter f. under section X. Signage must be stricken from the proposed design standards and a note added to reflect exact language of the Zoning Code requirements of Section 14-16-3-2(B)(4).

Drainage

An updated drainage plan has been provided for the subject site however, the plan does not show any drainage detail for the two southern most parcels on the subject site and will need to be revised to address these parcels. Surface runoff from the site generally flows from the northeast corner of the subject site toward an existing pond on the southwest portion of the undeveloped area. Offsite flows draining onto the subject site from the north surface flow over the southwestern parcel and drain through a curb cut into an existing pond. No offsite flows drain on the site from Wyoming Blvd. Drainage patterns are proposed to be maintained and the existing drainage pond will be enlarged and maintained in the same location with discharge rates matching historic, pre-development flows. Each new pad site will also contain privately maintained ponds or underground drainage storage structure.

V. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

The most significant comments received were from the Transit Department requesting that the applicant install a Type C bus shelter as per the COA Design standard COA 2355, and associated bench and trash can at the existing bus stop located adjacent to the property on Menaul. Planning Staff forwarded the comments to the applicant but to date has not received any additional comments from the applicant as to whether this request is agreed to.

Neighborhood/Public

The Loma Del Rey Neighborhood Association and District 7 Coalition of Neighborhood Associations as well as property owners within 100 ft of the subject were notified of this request. A facilitated meeting was not recommended or held.

Planning Staff received written public comments from the property owner directly north of the subject site stating that they were not in agreement with the proposed request for a site development plan for subdivision amendment.

Following discussions with the applicant and the Traffic Engineering Department, it appears that there is some disagreement regarding future improvements to the existing 20' public alley that will be required by the Traffic Engineering Department as well as the potential for alcohol sales to take place on the subject site. The applicant and the Traffic Engineering Department have attempted to meet with the property owner to the north. Additionally, the sale of on-premise alcohol sale and consumption is a permissive use under the existing C-2 zoning designation.

VI. CONCLUSION

This is a request for an amendment to the Los Pastores Shopping Center site development plan for subdivision. The subject site is zoned C-2 (SC). The proposed amendments will subdivide the undeveloped portions of the subject site into five separate pad sites and establish necessary access and utility easements. Updated design standards are also proposed that would apply to the entire shopping center site.

The proposed site development plan for subdivision would create 5 new lots. The applicant envisions various commercial uses and an office use in the future. Lots 1, 2 and 3 would have frontage along Wyoming Blvd. Lots 4 and 5 would not as they comprise the western half of the site which is adjacent to residential lots to the west and an SU-1 site to the north. A Traffic Impact Study (TIS) was not required.

The subject site is in the Established Urban area of the Comprehensive Plan. Overall, Staff finds that the request generally furthers applicable Goals and policies. Neighborhood organizations were notified as required. There is known opposition to this request from the property owner to the north of the subject site, however, the items that have been raised (disagreement with city required improvements to the 20' public alley & alcohol sales on the subject site) are not items that the EPC can take action on because the required improvements are per the DPM which the EPC does not have discretion over, and the sale of alcoholic beverages on the subject site is already a permissive use per Section 14-16-2-17(A)(13) (Community Commercial Zone).

The applicant requests that future site development plans for building permit for each tract be delegated to DRB for review and final sign-off. Therefore, it is important that the design standards be clear and provides sufficient direction. The EPC has complete discretion over whether DRB delegation will be approved.

Staff has provided a list of recommended conditions to help clarify elements of the stated design standards, however the proposed design guidelines do not warrant delegation to DRB at this time. The current design standard language is not specific or detailed enough in Planning Staff's opinion to provide sufficient design and layout direction in order to bypass the EPC process with regard to future review of Site Development Plan for Building Permit requests.

FINDINGS - 15EPC-40032 – November 12, 2015 - Site Development Plan for Building Subdivision Amendment

1. This is a request for a Site Development Plan for Subdivision Amendment for Tract A-1, Re-division of Tract A (now comprising Tracts A1 & A2), the southwesterly portion of Tract A-1, all of Tract 1 excluding the northerly portion & excluding those portions adjacent to the south & east out to right-of-way located on Wyoming Blvd. NE, between Montgomery Blvd. NE and Osuna Rd. NE and containing approximately 6.75 acres.
2. The subject site is zoned C-2 (SC). The proposed amendments will subdivide the undeveloped portions of the subject site into five separate pad sites and establish necessary access and utility easements. Updated design standards are also proposed that would apply to the entire 6.75 acre shopping center site. This is a quasi-judicial matter.
3. A subdivision plan was originally approved in December 1962 and subdivided the subject site into three separate tracts (S-1214). The existing C-2 zoning was established for the subject site in November 1977 (Z-77-165). In January 1980 the Los Pastores Shopping Center development plan was approved by the EPC with conditions.
4. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The Site Development Plan for Subdivision Amendment furthers the following relevant Comprehensive Plan policies:
 - A. Policy II.B.5.d.: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

The requested action is appropriately located adjacent to and nearby a cluster of other C-2 zoned lots, the intensity of which will not negatively impact existing residential development in the area. Carrying capacities are also appropriate for the area. Therefore, the request furthers Policy II.B.5.d.
 - B. Policy II.B.5.e.: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

The portion of the site that is proposed to be subdivided into 5 new pad sites is vacant and is contiguous to existing urban facilities and services and the integrity of existing neighborhoods will be ensured. The request furthers Policy II.B.5.e.

- C. Policy II.B.5.i.: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

The applicant envisions additional commercial uses for the subject site. The subject site is located near adjacent to and nearby a cluster of other C-2 zoned lots which are configured to complement nearby residential areas. The proposed design standards proposed by the applicant generally meet the requirements of the Zoning Code and will serve to minimize any potential adverse impacts on residential environments. Therefore, the request furthers Policy II.B.5.i.

- D. Policy II.B.5.j.: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.

New commercial development that results from the proposed subdivision action will be located within an existing commercially zoned area, within a larger area-wide shopping center site at the intersection of Wyoming and Montgomery Blvd. which are designated minor arterial streets. Route #31, Wyoming route, and Route #98, Alameda-Wyoming-KAFB commuter route, pass the site on Wyoming Blvd. Therefore, the request furthers Policy II.B.5.j.

- E. Policy II.B.5.k.: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

The subject site is adjacent to two minor arterials and will be designed to minimize any harmful effects of traffic on nearby established residential neighborhoods. Transportation Staff provided comments that, when addressed, would help minimize harmful effects of traffic. The TIS form indicates that a traffic study is not required. The request furthers Policy II.B.5k.

- F. Policy II.B.5l.: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the plan area.

The proposed design standards would require quality building materials and articulation, and would result in "modern" style buildings that would generally create quality. The request furthers Policy II.B.5l-quality design/new development.

6. The applicant requests that future site development plans for building permit for each tract be delegated to DRB for review and final sign-off.

7. The EPC has complete discretion over whether DRB delegation will be approved.
8. Design standards must be clear and provide sufficient direction with regard to the design and pad site layout direction for future requests for Site Development Plans for Building Permit.
9. The proposed design guidelines do not warrant delegation to DRB as they do not provide sufficient design and pad site layout direction for future requests for Site Development Plans for Building Permit.
10. The Loma Del Rey Neighborhood Association and District 7 Coalition of Neighborhood Associations as well as property owners within 100' of the subject were notified of this request. A facilitated meeting was not recommended or held.
11. Staff received written public comments from the property owner directly north of the subject site stating that they were not in agreement with the proposed request for a site development plan for subdivision amendment.

RECOMMENDATION – 15EPC-40032 – November 12, 2015

APPROVAL of 15EPC-40032, a request for Site Development Plan for Subdivision Amendment, for Tract A-1 Re-division of Tract A (now comprising Tracts A1 & A2), the southwesterly portion of Tract A-1, all of Tract 1 excluding the northerly portion & excluding those portions adjacent to the south & east out to right-of-way, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL – 15EPC-40032 – November 12, 2015 - Site Development Plan for Subdivision Amendment

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the

EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Conditions of Approval for Design Standards Section:
 - a. All references made within the site development plan for subdivision to applicable sections of the City of Albuquerque Comprehensive Zoning Code shall list/identify the full corresponding name of that section of the Zoning Code within the design standards section.
 - b. Section II. – Setbacks & Building Height Limitations shall be revised to state that building heights are regulated by Section 14-16-2-15(C)(1) – Office & Institution Zone which allows a maximum building height of 26', however, any structure over 26' must fall within 45 degree angle planes drawn from the horizontal at the mean grade along each internal boundary of the premises and each adjacent public right-of-way centerline. Additionally, structures shall not exceed 26' within 85' of a lot zoned specifically for houses.
 - c. Section III. – Parking shall be revised to include a note stating that all off-street parking areas shall comply with all First Flush Drainage Ordinance requirements as well as a section outlining conformance with Designated Disabled Parking Space requirements.
 - d. Section IV.(a)(ii) – Pedestrian Connections & Amenities shall be revised to reference the correct 6.75 total site acreage. It currently reads that the site contains a total of 5 acres.
 - e. The title for Section VI. – Walls & Fences shall be revised to read "Walls, Fences & Screening", provide more detail regarding specific materials to be used for trash enclosures, and item l. be revised to cite the specific city Drainage Ordinance number.
 - f. Section VIII. – Architecture shall be revised to include information outlining the proposed FAR for the subject site as required by the Zoning Code.
 - g. Section X.(f) – Signage shall be revised to reflect the Zoning Code requirements of Section 14-16-3-2(B)(4) which states that only one free-standing sign for every 300 linear feet of frontage along an arterial is allowed.
 - h. The Conceptual Drainage Plan shall be revised to include drainage details for the southwesterly portion of Tract A-1 and the southeasterly portion of Tract A-1.

4. The subdivision of the site shall comply with the purpose, intent, and regulations of the Subdivision Ordinance (14-14-1-3)."
5. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.
6. Conditions of Approval – Water Utility Authority, Utility Services:
 - An availability statement is required and can be made at the following link: http://www.abcwua.org/Availability_Statements.aspx. Requests shall include fire flow requirements from the fire marshal.
 - The Utility Plan indicates public sanitary sewer onsite. This will not be acceptable.
7. Conditions of Approval – City Engineer, Transportation Development:
 - Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
 - Developer shall follow requirements as per the approved Traffic Impact Study. As part of the Traffic Impact Study, it was requested to investigate possibility of improvements at the Wyoming/Montgomery intersection. It was also requested to investigate moving the southern access way from Wyoming Boulevard to the north such that it will possibly line up with the driveway access into Quarters. Cross-access agreement with the neighboring church to the north is required for the proposed plan.
 - Developer must coordinate with the property located to the north regarding the entrance along the existing alley. A shared access to Wyoming must be built with this development.
 - The access located on the south edge along Wyoming needs to be modified to be perpendicular to the roadway.
 - Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development, as required by the Development Review Board (DRB)

8. Conditions of Approval – City Engineer, Hydrology Development:

- EPC project # 1010550; A full G&D plan review meeting the following criteria and other criteria stated in the Development Process Manual Chapter 22 and the design guidelines given in Standard Specifications will be required before grading can commence.

9. Conditions for Approval for Project – Public Service Company of New Mexico:

- As individual pad sites develop, coordination with PNM will be necessary regarding proposed tree species, the height at maturity and tree placement along the western boundary of the property in order to ensure sufficient safety clearances and to avoid interference between trees and the existing distribution facilities.



Vicente M. Quevedo
Planner

Notice of Decision cc list:

Tierra West, LLC, 5571 Midway Park Place NE, Albuquerque, NM 87109
W & M Company, Bill Gunther, 8220 La Miranda Rd. NE, Suite 300, Albuquerque, NM 87109
Brian Eagan, 8416 Hilton Ave NE, Apt 4B, Albuquerque, NM 87111
William E. Burk, III, 9617 La Playa NE, Albuquerque, NM 87111
Janice Arnold-Jones, 7713 Sierra Azul NE, Albuquerque, NM 87110
Lynne Martin, 1531 Espejo NE, Albuquerque, NM 87112
Steve Smothermon, 7201 Central Ave. NW, Albuquerque, NM 87121

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Reviewed, no adverse comments.

Office of Neighborhood Coordination

Loma Del Rey NA (R), District 7 Coalition of NA's

Long Range Planning

Reviewed, no adverse comments.

Metropolitan Redevelopment Agency

CITY ENGINEER

Transportation Development

Project # 1010550 Los Pastores Shopping Center

15EPC-40032 Sight Development for Subdivision

City Engineer/Transportation Development:

- Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
- Developer shall follow requirements as per the approved Traffic Impact Study. As part of the Traffic Impact Study, it was requested to investigate possibility of improvements at the Wyoming/Montgomery intersection. It was also requested to investigate moving the southern access way from Wyoming Boulevard to the north such that it will possibly line up with the driveway access into Quarters. Cross-access agreement with the neighboring church to the north is required for the proposed plan.

Developer must coordinate with the property located to the north regarding the entrance along the existing alley. A shared access to Wyoming must be built with this development.

The access located on the south edge along Wyoming needs to be modified to be perpendicular to the roadway.

Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development, as required by the Development Review Board (DRB).

DMD Transportation Planning:

- Per MRCOG's 2040 Long Range Roadway System Map, Wyoming Blvd. and Montgomery Blvd. are both Regional Principal Arterials.

Hydrology Development

EPC project # 1010550; A full G&D plan review meeting the following criteria and other criteria stated in the Development Process Manual Chapter 22 and the design guidelines given in Standard Specifications will be required before grading can commence.

GENERAL HYDROLOGY CRITERIA:

- Beyond 10' of a structure, all landscape beds to be depressed below grade. Within 10', runoff shall be directed away from the structure.
- All new development projects shall manage the runoff from precipitation which occurs during the 90th Percentile Storm Events, referred to as the "first flush." The Site Plan/Drainage Plan must indicate all areas and mechanisms intended to capture the first flush. For volume calculations, the 90th Percentile storm event is 0.44 inches. For Land Treatment D the initial abstraction is 0.1", therefore the first flush volume should be based on $0.44'' - 0.1'' = 0.34''$ and only consider the impervious areas.
 - State how the first flush will be managed and supporting calculations
 - State the area of Land Treatment D on the plan
- The applicant may request a pre-design meeting with the Hydrology Section. First submit a Conceptual Grading and Drainage plan, and indicate on the DTIS sheet (in large bold letters at the top) that a pre-design conference is requested (DTIS sheet is the information sheet required for all Hydrology and Transportation submittals). The reviewer will contact the applicant to set up a meeting.
- The engineer should research the Master Drainage Plan and/or adjacent sites – essentially practice due diligence prior to meeting. Conceptual Grading and Drainage plans should reference the master drainage plan or other sources that
 - Indicate the intended drainage for that area. The applicant should provide excerpts from the supporting documents and/or grading plans.
 - Final Drainage Reports should have an appendix with all supporting documentation

- When determining allowable discharge from a site
 - If a Master Drainage Report planned an allowable discharge for a site, determine if the basis for that discharge is still valid or if conditions have since changed.
 - If discharging to the street, determine if the street has capacity. Also determine if the storm drain has capacity.
 - If discharging to the back of inlets, determine if doing so will still provide capacity for the discharge from the street
 - When determining inlet capacity using the orifice equation, the area for a single grate should be 3.84 sq. ft.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

Reviewed, no adverse comments.

Traffic Engineering Operations

Reviewed, no adverse comments.

WATER UTILITY AUTHORITY

Utility Services

ABCWUA Comment:

8. An availability statement is required and can be made at the following link:
http://www.abcwua.org/Availability_Statements.aspx. Requests shall include fire flow requirements from the fire marshal.
9. The Utility Plan indicates public sanitary sewer onsite. This will not be acceptable.

ENVIRONMENTAL HEALTH DEPARTMENT

No comments received.

PARKS AND RECREATION

Planning and Design

Reviewed, no adverse comments.

Open Space Division

Reviewed, no adverse comments.

City Forester

No comments received.

POLICE DEPARTMENT/Planning

EPC 1010550 – This project is in the Northeast Area Command.

- No Crime Prevention or CPTED comments concerning the proposed *Site Development Plan For Subdivision* request at this time.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Reviewed, no adverse comments.

FIRE DEPARTMENT/Planning

Reviewed and unable to provide comments due to lack of project data.

TRANSIT DEPARTMENT

Route #31, Wyoming route, and Route #98, Alameda-Wyoming-KAFB commuter route, pass the site on Wyoming. Recently, a bus stop was placed 56' north from the northeast corner of the property, serving the above-mentioned routes in southbound direction. It is the intention of ABQ RIDE to move this bus stop 150' south closer to the intersection and also adjacent to the property. Transit requests the applicant to install a Type C bus shelter as per the COA Design standard COA 2355, and associated bench and trash can at the existing bus stop located adjacent to the property on Menaul.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

No comments received.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no adverse comments.

ALBUQUERQUE PUBLIC SCHOOLS

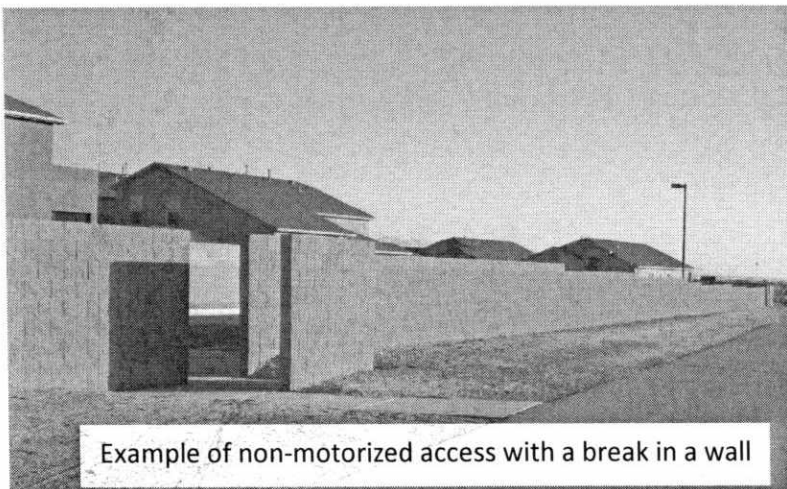
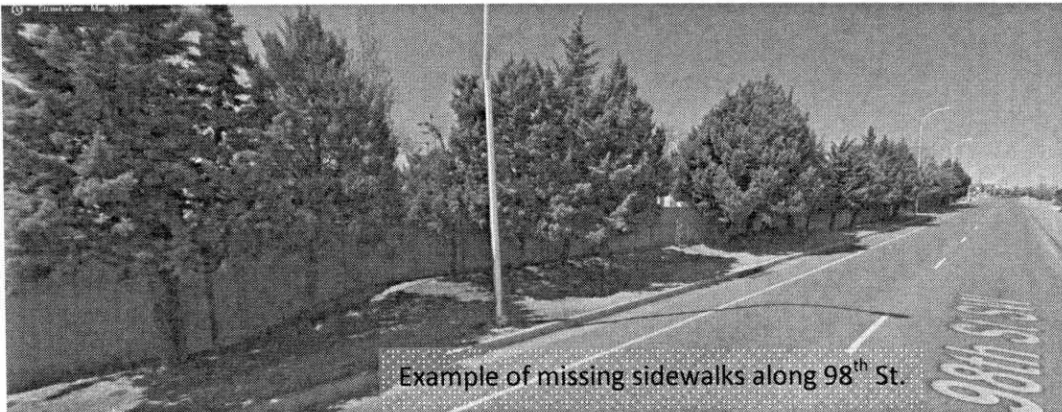
This will have no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

Project #1010550

The applicant has identified supporting the Albuquerque/Bernalillo County Comprehensive Plan goal of providing a quality urban environment. In order to further this goal, MRMPO recommends that concrete sidewalks be provided along 98th Street where currently none exist. Ideally, these sidewalks should be 6' wide with a 6' landscaped buffer between the roadway and

the sidewalk. In addition, pedestrian and bicycle access from the property to 98th Street should be provided with at least one formal break in the wall midway between the current access points.



MIDDLE RIO GRANDE CONSERVANCY DISTRICT

No comments received.

PUBLIC SERVICE COMPANY OF NEW MEXICO

Conditions for Approval for Project #1010550 Site Development Plan for Subdivision (Los Pastores Shopping Center at NW corner of Wyoming and Montgomery NE) 15EPC-40032

1. The applicant has adequately addressed PNM's concerns regarding screening and clearances. An existing overhead electric distribution line is located along the western boundary of the site and it is the applicant's obligation to abide by any conditions or terms of those easements.

2. As individual pad sites develop, coordination with PNM will be necessary regarding proposed tree species, the height at maturity and tree placement along the western boundary of the property in order to ensure sufficient safety clearances and to avoid interference between trees and the existing distribution facilities.

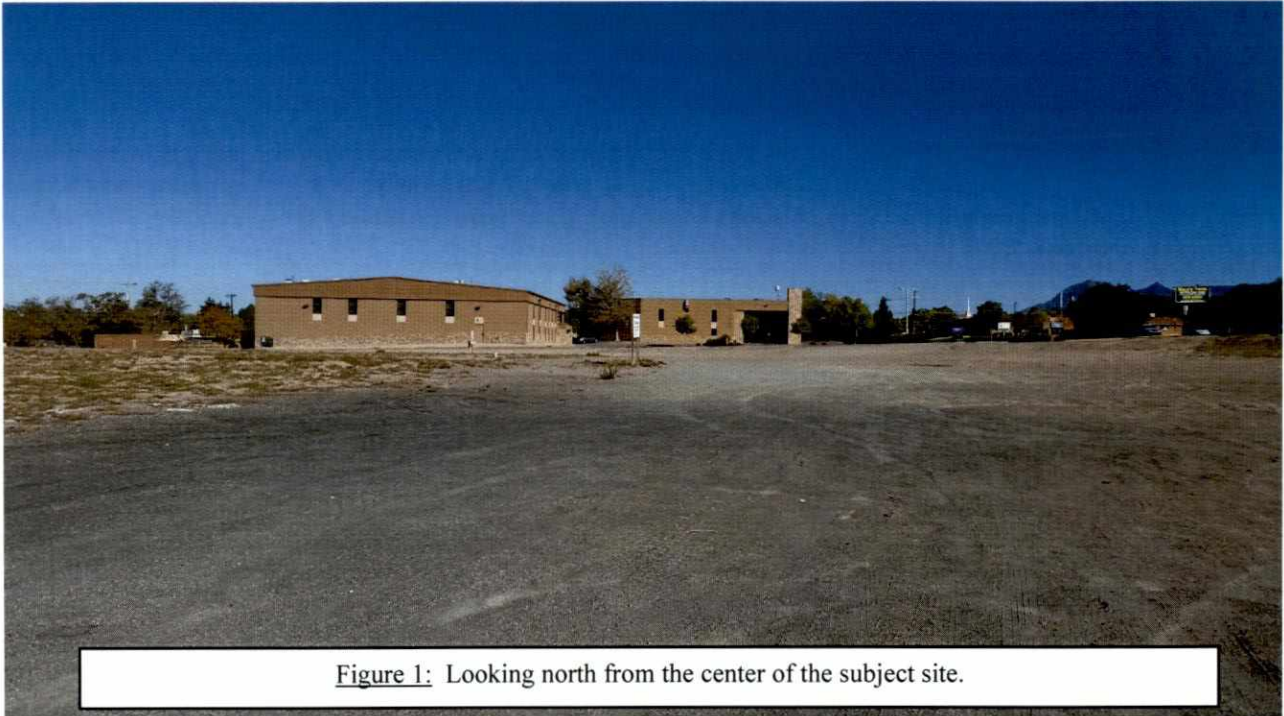
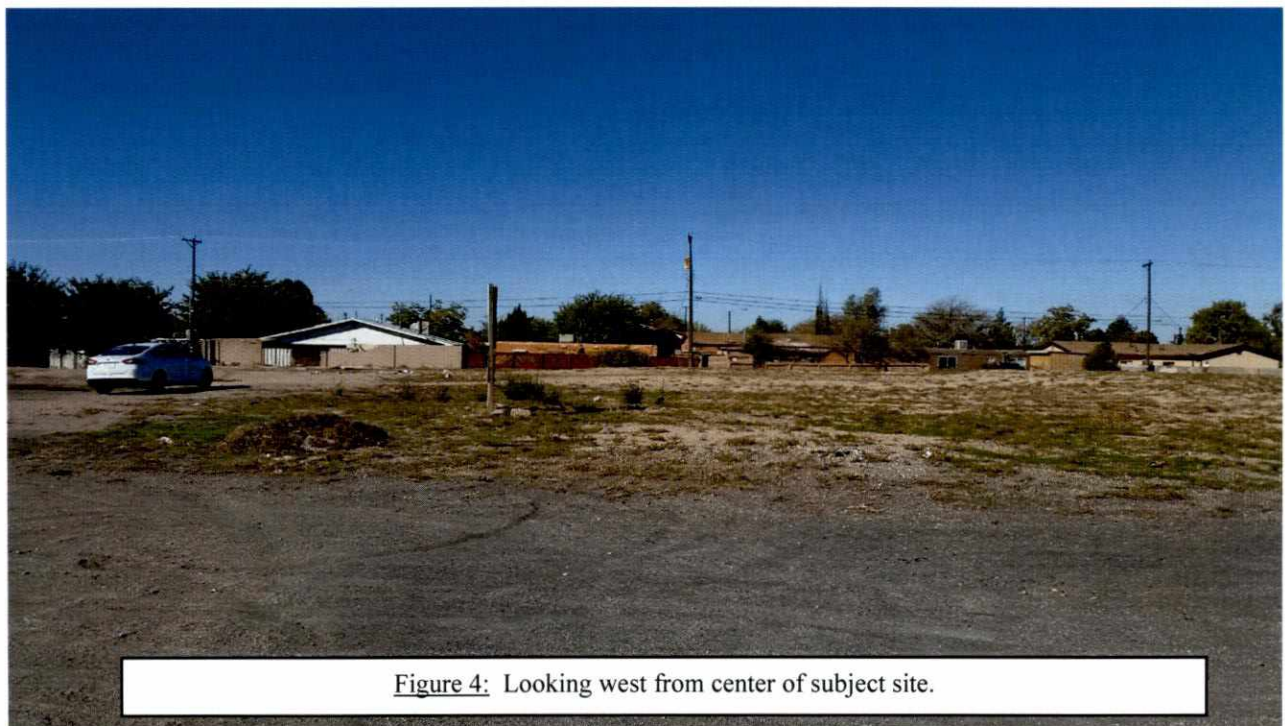
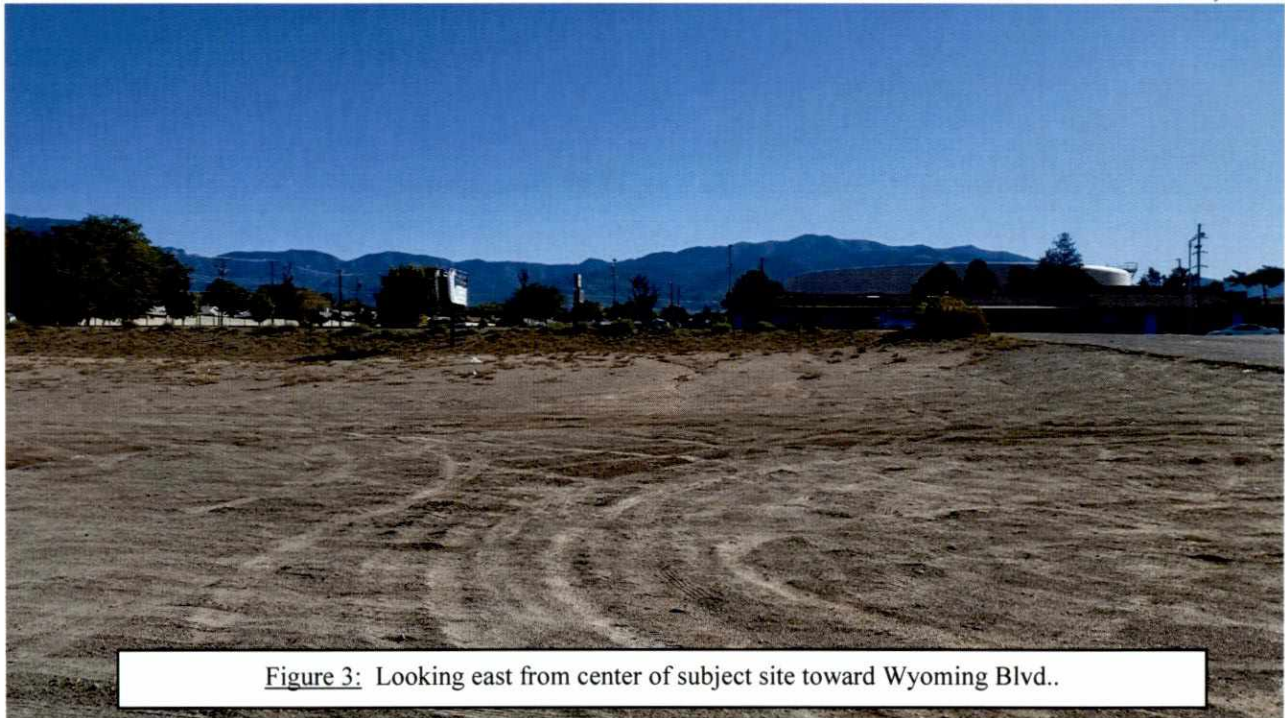


Figure 1: Looking north from the center of the subject site.



Figure 2: Looking south from center of subject site toward developed tracts closest to Montgomery Blvd..



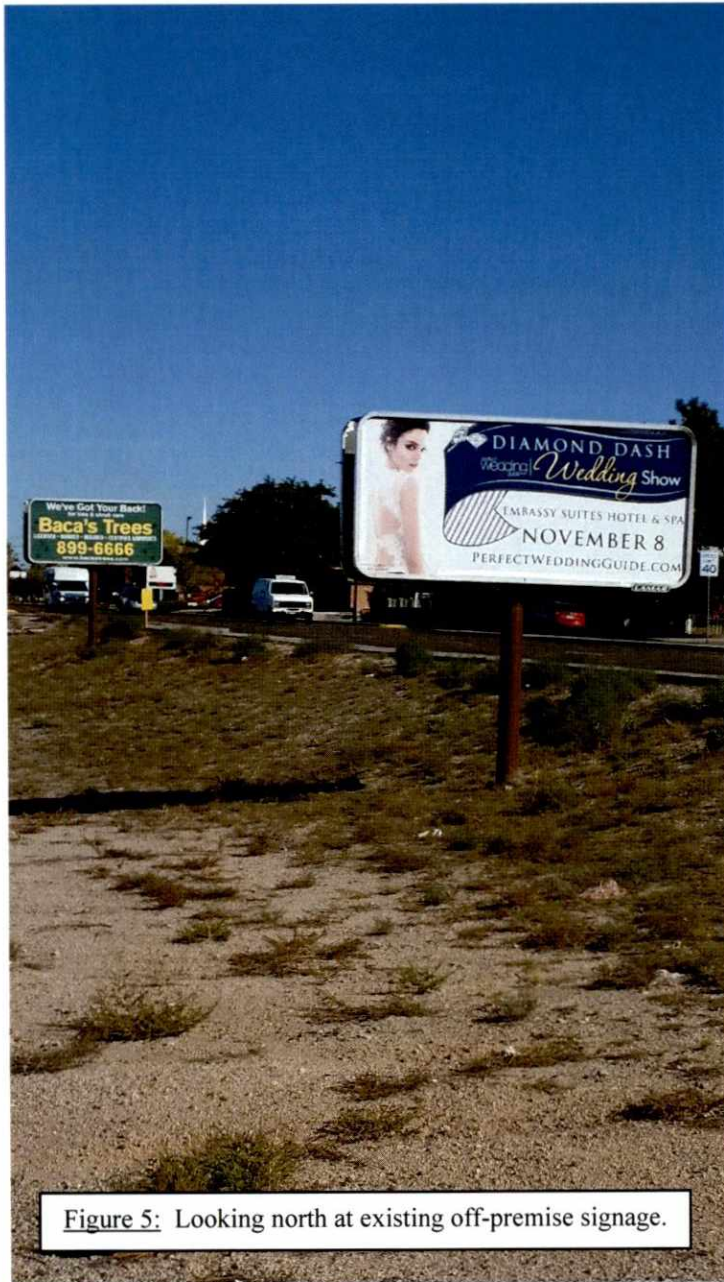


Figure 5: Looking north at existing off-premise signage.

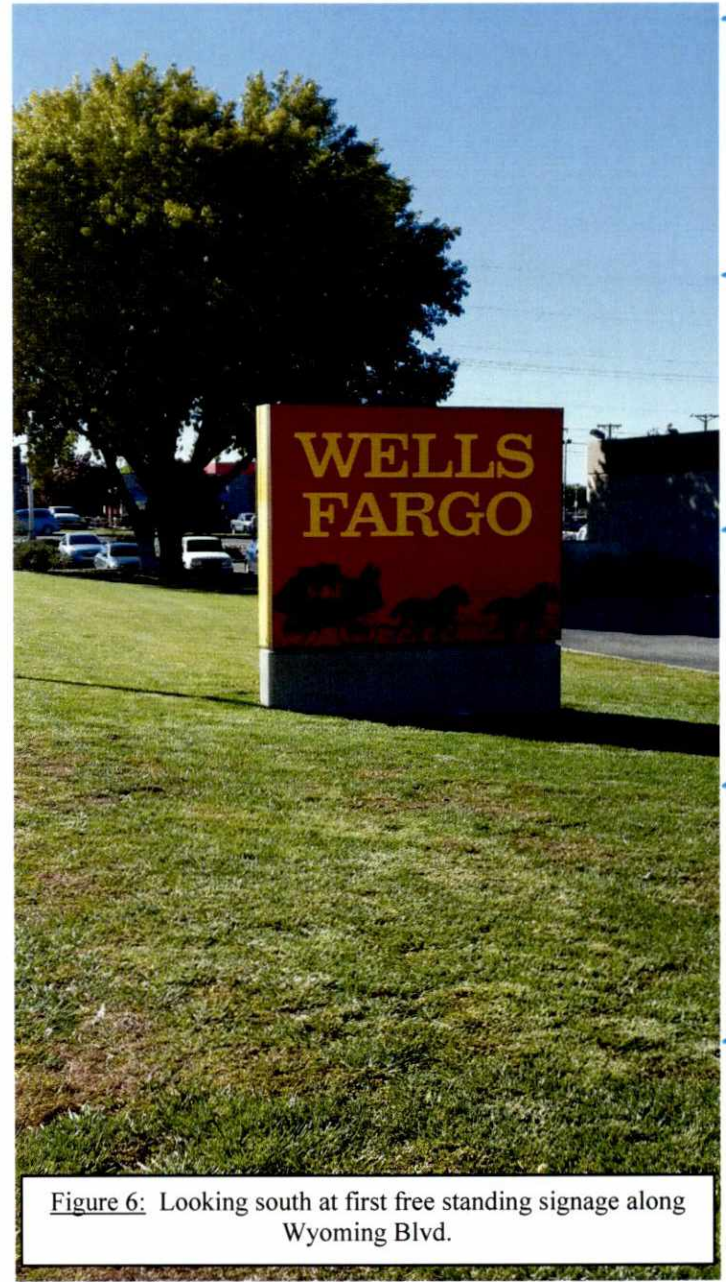


Figure 6: Looking south at first free standing signage along Wyoming Blvd.

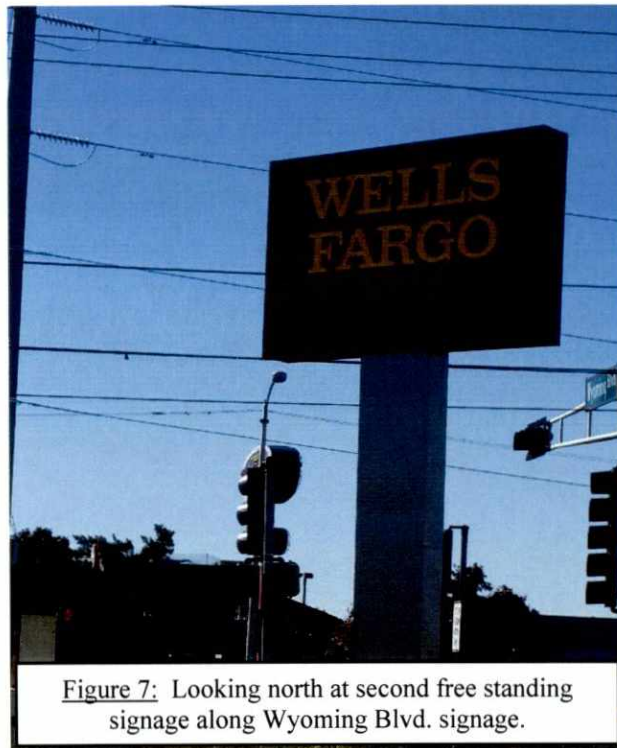


Figure 7: Looking north at second free standing signage along Wyoming Blvd. signage.



Figure 8: Looking west at two free standing signs along Montgomery Blvd.

HISTORY

S-1214, Z-1238

L. B. JONES,
XXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

December 6, 1962

Jack M. Clifford
9000 Menaul N.E.
Albuquerque, New Mexico

Dear Mr. Clifford:

The City Planning Commission at its regular meeting of December 3, 1962, considered your proposed subdivision, S-1214, Los Pastores Shopping Center and zone change request, Z-1238, R-1 to C-2, P-1 and O-1 for approximately 12.3 acres, the C-2 and P-1 to be regulated by the Shopping Center and Retail Service Use requirements of Commission Ordinance No. 1493 governing neighborhood shopping facilities, and the following action was taken:

BE IT RESOLVED THAT Z-1238 be recommended to City Commission for approval excepting therefrom the O-1 portion of the request, this being denied. The O-1 portion may be reconsidered within one year waiting period should an amendment be made to the zoning ordinance text allowing Church and similar usages in SU-1. BE IT FURTHER RESOLVED THAT S-1214 be given preliminary approval.

If we may be of further assistance, please do not hesitate to call.

Sincerely,

Clifford Brew
Associate Planner, LP

CEB:omw

CC: Los Pastores, Inc.
Kenneth Larsen and Associates
Files

OFFICIAL NOTICE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
Box 1293, Albuquerque, NM 87103

Date November 21, 1977

NOTIFICATION OF DECISION

M-M Company
300 San Mateo, N.E., Suite 500
Albuquerque, New Mexico 87108

Attention: Vance Mauney

File: 7-77-165, V-77-41

Location: Tract 2, Los Pastores Shopping Center
and a parcel of land in the NE/4 SE/4 SE/4, Sec.
31, T11N, R4E; and the vacation of the east-
west alley immediately north of Los Pastores
Shopping Center

At their meeting of November 17, 1977, the Environmental Planning Commission approved the above mentioned requests, thereby changing the zoning to C-2 and vacating the alley subject to the following conditions: 1. Submittal of a summary plat which combines the northerly portion with the balance of the parcel; 2. Relocation of the alley in accordance with the Traffic Engineer's requirements.

If you wish to appeal this decision, you may do so by 12-2-77 in the manner described below. A non-refundable filing fee of \$25 is required at the time of application.

A. Appeal to Planning Commission. Any person aggrieved with any determination of the City staff acting under the Subdivision Ordinance may appeal to the Planning Commission by submitting written application on the Planning Department form to the Planning Department within 15 days after the date of the staff's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard and decided by the Planning Commission within 60 days of its filing.

B. Appeal to City Council. Any person aggrieved with any determination of the Planning Commission acting under this ordinance may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department within 15 days of the Planning Commission's decision (such 15 day period to be determined as in A. above). The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinance have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 60 days of its filing.

You will receive notice if another person files an appeal. If there is no appeal you can receive building permits any time after the appeal deadline quoted above provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the referenced application(s).

Sincerely,

Bea Gutierrez

Bea Gutierrez
Board Secretary

cc: Charles Goy, 4612 Norma Dr., N.E. 87109

Property Management

M-M Co., 420 Sandia S.W. Bldg. S. 87102

Letter of
Advice

519
OFFICIAL NOTICE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
Box 1293, Albuquerque, NM 87103

Date: June 15, 1978

M-M Company
300 San Mateo, N.E., Suite 500
Albuquerque, N.M. 87108

Attention: Vance Mauney

CERTIFICATION OF ZONING

File Z- 77-165

Date of Final Action: 11-17-77

Location: Portions of Tract A, Los Pastores
Shopping Center Addition (SP-78-297)
(Formerly Tract 2, Los Pastores Shopping Center
Addition and an unplatted parcel in NE/4 SE/4
SE/4, Sec. 31, T11N, R4E)

The Environmental Planning Commission ruled favorably on your request to amend the zone map as it applies to the above cited property.


☒ The possible appeal period having expired, the zoning on the above cited property is now changed to C-2 for those portions of the above-mentioned property formerly zoned P-1.

☐ The possible appeal period has expired, but the zoning on the above cited property is NOT CHANGED to
until the following requirements are met, as specified in the decision of the Commission:

If such requirements are not met within six months after the date final City approval is voted, the approval is void; however, the Planning Director or his designated representative may extend this time limit up to an additional six months.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the zoning is secured. Approval of this case does not constitute approval of plans for a building permit. You should take two copies of your plans to the Building & Inspection Division of the City to initiate a building permit.

Sincerely,


Phil Garcia
Principal Planner

For the Planning Director

Z CERTIFICATION

cc: Graphics
Zoning

OFFICIAL NOTICE

CITY OF ALBUQUERQUE
MUNICIPAL DEVELOPMENT DEPARTMENT
PLANNING DIVISION
P.O. Box 1293, Albuquerque, New Mexico 87103

Vance Mauney
300 San Mateo NE
Suite 800
Albuquerque, New Mexico 87108

DATE: January 22, 1980

NOTIFICATION OF DECISION

File: Z-1238 (development plan)
Location: Tract A, Los Pastores
Shopping Center

On January 17, 1980, the Environmental Planning Commission approved the above-mentioned development plan subject to the following conditions:

1. A pipe rail fence shall be constructed along the northern boundary of the property in addition to the proposed 8 inch concrete curb.
2. The planting area west of McDonalds shall be enlarged as was intended.
3. A traffic lane shall be designed to allow continuous flow of traffic through the shopping center; no parking areas shall be allowed to back into said traffic lane.
4. Refuse Bins --
 - a. the refuse bin location for McDonalds is acceptable;
 - b. The refuse bins proposed to be located along the alley shall be relocated, satisfactory to staff; possibly near the northeast corner of the ponding area;
 - c. The refuse bins on the north side of the property shall be relocated as far as is practicable from the residential area to the west, and shall be satisfactory to staff.
5. Alley paving, deceleration lanes and median modifications shall be at the developer's expense prior to occupancy.
6. A drainage plan satisfactory to AMAFCA and the City Engineer is required prior to plan sign-off.
7. A landscaping and irrigation plan is required satisfactory to staff.
8. Additional landscaping shall be provided in the southern portion of the shopping center parking lot, satisfactory to staff.

If you wish to appeal this decision, you must do so by 2-1-80 in the manner described below. A non-refundable filing fee of \$40 is required at the time the appeal is filed.

Appeal to the City Council. Any person aggrieved with any determination of the Environmental Planning Commission acting under this ordinance may file an appeal to the City Council by submitting written application on the Planning Division form to the Planning Division within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. If there is no appeal you can receive building permits any time after the appeal deadline quoted above provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the referenced application(s).

 IF YOU RECEIVE APPROVAL FOR ANY REQUEST WHICH REQUIRES A SITE DEVELOPMENT PLAN, SEE ATTACHED SHEET FOR FURTHER INFORMATION.

Sincerely,


Jill Danforth
Board Secretary

cc: Amy Sarbaugh, c/o McDonald Corp.,

ZONING

Refer to Section 14-16-2-17 of the Zoning Code for specifics regarding the C-2 Zone & Section 14-16-3-2 for specifics regarding the Shopping Center Regulations of the Zoning Code.

APPLICATION INFORMATION



SUBDIVISION

- ☒ Major subdivision action
☐ Minor subdivision action
☐ Vacation
☐ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- ☒ for Subdivision
☐ for Building Permit
☐ Administrative Amendment (AA)
☐ Administrative Approval (DRT, URT, etc.)
☐ IP Master Development Plan
☐ Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- ☐ Storm Drainage Cost Allocation Plan

Supplemental Form (SF)

S Z ZONING & PLANNING

- ☐ Annexation
☒ Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
☐ Adoption of Rank 2 or 3 Plan or similar
☐ Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
☐ Street Name Change (Local & Collector)
☐ **APEAL / PROTEST of...**
☐ Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): Tierra West LLC PHONE: 505-858-3100
 ADDRESS: 5571 Midway Park Place, NE FAX: 505-858-1118
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: rrb@tierrawestllc.com
 APPLICANT: W & M Company- Bill Gunther PHONE: 505-296-4146
 ADDRESS: 8220 La Mirada Rd. NE, Suite 300 FAX: 505-296-0907
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: billg5469@aol.com
 Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Site Development Plan for Subdivision

Is the applicant seeking incentives pursuant to the Family Housing Development Program? ☐ Yes. ☐ No.

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. TR A-1 Redivision of TR A (Now Comprising TRS A1 & A2) Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Los Pastores Shopping Center
 Existing Zoning: C-2 Proposed zoning: N/A MRGCD Map No. _____
 Zone Atlas page(s): F-19-Z UPC Code: 101906149805240507

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z-, V-, S-, etc.): _____
Z-1238/ S-1214

CASE INFORMATION:

Within city limits? ☒ Yes Within 1000FT of a landfill? N/A
 No. of existing lots: 1 No. of proposed lots: 6 Total site area (acres): 5.7722
 LOCATION OF PROPERTY BY STREETS: On or Near: Wyoming Blvd. NE
 Between: Montgomery Blvd. NE and _____
 Check if project was previously reviewed by: Sketch Plat/Plan ☐ or Pre-application Review Team(PRT) ☐ Review Date: _____

SIGNATURE

Ronald R. Bohannon, P.E. DATE _____
 (Print Name) Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY

- ☐ INTERNAL ROUTING
☐ All checklists are complete
☐ All fees have been collected
☐ All case #s are assigned
☐ AGIS copy has been sent
☐ Case history #s are listed
☐ Site is within 1000ft of a landfill
☐ F.H.D.P. density bonus
☐ F.H.D.P. fee rebate

Application case numbers

1 SEPC - 40032

Action

SPS

CME

ADV

S.F.

Fees

\$395.00

\$50.00

\$75.00

\$

\$

\$

\$510.00

Hearing date Sept. 10, 2015

7-30-15

Project

1010550

Staff signature & Date

190.485

FORM P(1): SITE DEVELOPMENT PLAN REVIEW – E.P.C. PUBLIC HEARING

☒ **SITE DEVELOPMENT PLAN FOR SUBDIVISION (EPC16) Maximum Size: 24" x 36"**

☐ **IP MASTER DEVELOPMENT PLAN (EPC11)**

- ☒ 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
- ☒ Scaled Site Plan and related drawings (folded to fit into an 8.5" by 14" pocket) **20 copies**.
For IP master development plans, include general building and parking locations, and design requirements for buildings, landscaping, lighting, and signage.
- ☒ Site plans and related drawings reduced to 8.5" x 11" format **(1 copy)**
- ☒ Zone Atlas map with the entire property(ies) clearly outlined
- ☒ Letter briefly describing, explaining, and justifying the request
- ☒ Letter of authorization from the property owner if application is submitted by an agent
- ☒ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ☒ Completed Site Plan for Subdivision and/or Building Permit Checklist
- ☒ Sign Posting Agreement
- ☒ Traffic Impact Study (TIS) form with required signature
- ☒ Fee (see schedule)
- ☒ List any original and/or related file numbers on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.

☐ **SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (EPC15) Maximum Size: 24" x 36"**

☐ **SITE DEVELOPMENT PLAN and/or WAIVER OF STANDARDS FOR WIRELESS TELECOM FACILITY (WTF) (EPC17)**

- ☐ 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
- ☐ Site Plan and related drawings (folded to fit into an 8.5" by 14" pocket) **20 copies**.
- ☐ Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted.
(Folded to fit into an 8.5" by 14" pocket.) **20 copies**
- ☐ Site Plans and related drawings reduced to 8.5" x 11" format **(1 copy)**
- ☐ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ☐ Letter briefly describing, explaining, and justifying the request
- ☐ Letter of authorization from the property owner if application is submitted by an agent
- ☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ☐ Sign Posting Agreement
- ☐ Completed Site Plan for Subdivision and/or Building Permit Checklist
- ☐ Traffic Impact Study (TIS) form with required signature
- ☐ Fee (see schedule)
- ☐ List any original and/or related file numbers on the cover application

NOTE: For wireless telecom facilities, requests for waivers of requirements, the following materials are required in addition to those listed above for application submittal:

- ☐ Collocation evidence as described in Zoning Code §14-16-3-17(A)(6)
- ☐ Notarized statement declaring number of antennas accommodated. Refer to §14-16-3-17(A)(13)(d)(2)
- ☐ Letter of intent regarding shared use. Refer to §14-16-3-17(A)(13)(e)
- ☐ Affidavit explaining factual basis of engineering requirements. Refer to §14-16-3-17(A)(13)(d)(3)
- ☐ Distance to nearest existing free standing tower and its owner's name if the proposed facility is also a free standing tower §14-16-3-17(A)(17)
- ☐ Registered engineer or architect's stamp on the Site Development Plans
- ☐ Office of Community & Neighborhood Coordination inquiry response as above **based on ¼ mile radius**

EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.

☐ **AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (EPC01) Maximum Size: 24" x 36"**

☐ **AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (EPC02)**

- ☐ Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **20 copies**
- ☐ DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **20 copies**
- ☐ DRB signed Site Plan for Subdivision, if applicable (required when amending SDP for Building Permit) **20 copies**
- ☐ Site plans and related drawings reduced to 8.5" x 11" format **(1 copy)**
- ☐ Zone Atlas map with the entire property(ies) clearly outlined
- ☐ Letter briefly describing, explaining, and justifying the request
- ☐ Letter of authorization from the property owner if application is submitted by an agent
- ☐ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ☐ Sign Posting Agreement
- ☐ Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
- ☐ Traffic Impact Study (TIS) form with required signature
- ☐ Fee (see schedule)
- ☐ List any original and/or related file numbers on the cover application

EPC hearings are approximately 7 weeks after the filing deadline. Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Ronald R. Bohannon, P.E.

Applicant name (print)

Applicant signature / date



- ☐ Checklists complete
- ☐ Fees collected
- ☐ Case #s assigned
- ☐ Related #s listed

Application case numbers

15 - EPC - 40032

Form revised November 2010

Project #: 1010550

Planner signature / date

7-30-15

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: W & M Company DATE OF REQUEST: 07/29/15 ZONE ATLAS PAGE(S): F-19-Z

CURRENT:

ZONING C-2

LEGAL DESCRIPTION:

LOT OR TRACT # TR A-1 BLOCK #

PARCEL SIZE (AC/SQ. FT.) 5.7722

SUBDIVISION NAME Los Pastores Shopping Center

REQUESTED CITY ACTION(S):

ANNEXATION ☐

ZONE CHANGE ☐: From To

SECTOR, AREA, FAC, COMP PLAN ☐

AMENDMENT (Map/Text) ☐

SITE DEVELOPMENT PLAN:

SUBDIVISION* ☒ AMENDMENT ☐

BUILDING PERMIT ☐ ACCESS PERMIT ☐

BUILDING PURPOSES ☐ OTHER ☐

*includes platting actions

PROPOSED DEVELOPMENT:

GENERAL DESCRIPTION OF

ACTION:

NO CONSTRUCTION/DEVELOPMENT ☐

OF UNITS: N/A

NEW CONSTRUCTION ☒

BUILDING SIZE: N/A (sq. ft.)

EXPANSION OF EXISTING DEVELOPMENT ☐

Note: changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE [Signature]

DATE 7-29-15

(To be signed upon completion of processing by the Traffic Engineer)

Planning Department, Development & Building Services Division, Transportation Development Section -
2ND Floor West, 600 2ND St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES ☒ NO ☐ BORDERLINE ☐

THRESHOLDS MET? YES ☒ NO ☐ MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: ☐

Notes:

5 restaurants

If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. Any subsequent changes to the development proposal identified above may require an update or new TIS.

TRAFFIC ENGINEER [Signature]

DATE 07-29-15

Required TIS must be completed prior to applying to the EPC and/or the DRB. Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS

-FINALIZED 1/1/

-SUBMITTED 06/13/15

TRAFFIC ENGINEER [Signature]

DATE



City of Albuquerque
P.O. Box 1293 Albuquerque, New Mexico 87103
Planning Department
Suzanne Lubar, Director

Richard J. Berry, Mayor
Administrative Officer
July 2, 2015

Robert J. Perry, Chief

SUBJECT: ALBUQUERQUE ARCHAEOLOGICAL ORDINANCE—Compliance Documentation

Project Number(s): Z-1238 (1963), Z-77-165 (1977)

Case Number(s):

Agent: Tierra West, LLC

Applicant:

Legal Description: Tract A-1, Los Pastores Shopping Center

Zoning: C-2

Acreage: 5.75 Acres

Zone Atlas Page: F-19

CERTIFICATE OF NO EFFECT: Yes ☒ No ☐

CERTIFICATE OF APPROVAL: Yes ☐ No ☐

TREATMENT PLAN REVIEW:
DISCOVERY:

SUPPORTING DOCUMENTATION:

SITE VISIT: YES, July 2, 2015. Tract extensively graded and large areas covered by 3 to 4 feet of modern fill.

RECOMMENDATION(S):

- ***CERTIFICATE OF NO EFFECT IS ISSUED (ref O-07-72 Section 4B(2)—extensive previous land disturbance) .***

MFSchmader

Matthew Schmader, PhD
Superintendent, Open Space Division
City Archaeologist

W & M Co.
317 6th Street NW
Albuquerque, NM 87102
505/247-4395

June 17, 2015

Mr. Peter Nicholls, Chair
Environmental Planning Commission
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: MONTGOMERY AND WYOMING
LOS PASTORES SHOPPING CENTER**

Dear Chairman Nicholls:

The purpose of this letter is to authorize Tierra West LLC to act as agent on behalf of W & M CO pertaining to any and all submittals made to the City of Albuquerque for the above-referenced site.

MARC MAUNEY
Print Name


Signature

OWNER, PARTNER OF W & M Co.
Title

6/17/15
Date

W&M Co.
317 6TH ST NW
Albuquerque, New Mexico 87102

C/O Mr. Bill Gunter
8220 La Mirada Road, Suite 300
Albuquerque, New Mexico 87109

July 28, 2015

Mr. Ron Bohannon
Tierra West, LLC
5571 Midway Park Place NE
Albuquerque, NM 87109

Re: Owner's Authorization
Application for Site Development Plan for Subdivision
TRACT A-1 REDIVISION OF TR A (NOW COMPRISING TRS A1 & A2) LOS PASTORES SHOPPING
CENTER EXC SLWY PORT & PORT OUT TO R/W CONT 5.77 AC +-

Dear Chrls:

W&M Co., owners of the subject property, authorizes Tierra West, LLC to act as agent with regard to the above referenced entitlements process through the Environmental Planning Commission and Development Review Board.

Please contact me at 296-4146 if there are any questions.

Sincerely,
W&M Co.


Bill Gunter

CC: Gall Granot, DPS

Sent: 9/16/2015 12:43:47 P.M. Mountain Daylight Time
Subj: Re: Los Pastores Shopping Center (Tract A-1)

I approve

Sent from my iPhone

On Sep 15, 2015, at 3:25 PM, Attorneybonham@aol.com wrote:

Dear Mr. Field: Please reply to this email simply stating
"I approve."

Dear Mr. Bonham:

I understand W&M Co. is in the process of developing Tract A-1 of Los Pastores Shopping Center located near the intersection of Wyoming Blvd. NE and Montgomery Blvd. NE, and in connection with that needs to make changes, with the approval of the City of Albuquerque, to the existing site development plan for that parcel.

I am an owner of property abutting the southeast corner of this tract. This email is to show my approval of such changes as W&M Co. wishes to make to the existing site development plan. You are free to forward this to the City of Albuquerque as you see fit.

Sincerely,

Harold G. Field, Trustee of
the Harold G. Field Trust
hgfield2@comcast.net

Thomas L. Bonham
317 Sixth St., NW
Albuquerque, NM 87102
Telephone: (505) 243-6705
Facsimile: (505) 243-6706
attorneybonham@aol.com

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Jaimie Garcia

From: Ron Bohannon
Sent: Tuesday, November 03, 2015 3:35 PM
To: Jaimie Garcia
Subject: FW: Los IPastores Shopping Center (Tract A-1)

Ronald R. Bohannon, P.E.
President
Tierra West LLC
5571 Midway Park Place NE
Albuquerque, NM 87109
505-858-3100 office
800-245-3102
rrb@tierrawestllc.com

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From: Attorneybonham@aol.com [<mailto:Attorneybonham@aol.com>]
Sent: Wednesday, September 16, 2015 3:10 PM
To: Ron Bohannon
Subject: Fwd: Los IPastores Shopping Center (Tract A-1)

Thomas L. Bonham
317 Sixth St., NW
Albuquerque, NM 87102
Telephone: (505) 243-6705
Facsimile: (505) 243-6706
attorneybonham@aol.com

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From: hqfield2@comcast.net
To: Attorneybonham@aol.com

Sent: 9/15/2015 3:42:09 P.M. Mountain Daylight Time
Subj: Re: Los Pastores Shopping Center (Tract A-1)

I approve, Raymond and Mary Matteucci

Sent from my iPad

On Sep 15, 2015, at 3:26 PM, Attorneybonham@aol.com wrote:

Dear Raymond C. and Mary Elizabeth Matteucci:

Please reply to this email simply stating "I approve."

Dear Mr. Bonham:

We understand W&M Co. is in the process of developing Tract A-1 of Los Pastores Shopping Center located near the intersection of Wyoming Blvd. NE and Montgomery Blvd NE, and in connection with that needs to make changes, with the approval of the City of Albuquerque, to the existing site development plan for that parcel.

We are one of the owners of property on the northwest corner of Wyoming Blvd. NE and Montgomery Blvd NE. This email is to show our approval of such changes as W&M Co. wishes to make to the existing site development plan; you are free to forward this to the City of Albuquerque as you see fit.

Sincerely,

Raymond C. Matteucci
Mary Elizabeth Matteucci
lzm8@comcast.net

Thomas L. Bonham
317 Sixth St., NW
Albuquerque, NM 87102
Telephone: (505) 243-6705
Facsimile: (505) 243-6706
attorneybonham@aol.com

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Jaimie Garcia

From: Ron Bohannon
Sent: Tuesday, November 03, 2015 3:35 PM
To: Jaimie Garcia
Subject: FW: Los Pastores Shopping Center (Tract A-1)

Ronald R. Bohannon, P.E.
President
Tierra West LLC
5571 Midway Park Place NE
Albuquerque, NM 87109
505-858-3100 office
800-245-3102
rrb@tierrawestllc.com

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From: Attorneybonham@aol.com [<mailto:Attorneybonham@aol.com>]
Sent: Wednesday, September 16, 2015 3:09 PM
To: Ron Bohannon
Subject: Fwd: Los Pastores Shopping Center (Tract A-1)

Thomas L. Bonham
317 Sixth St., NW
Albuquerque, NM 87102
Telephone: (505) 243-6705
Facsimile: (505) 243-6706
attorneybonham@aol.com

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From: lzm8@comcast.net
To: Attorneybonham@aol.com

Sent: 9/15/2015 6:15:12 P.M. Mountain Daylight Time
Subj: Re: Los Pastores Shopping Center (Tract A-1)

I approve.
Marc Mauney

Sent from my Fire

On September 15, 2015, at 3:25 PM, Attorneybonham@aol.com wrote:

Dear Marc:

Please reply to this email simply stating "I approve."

Dear Mr. Bonham:

I understand W&M Co. is in the process of developing Tract A-1 of Los Pastores Shopping Center located near the intersection of Wyoming Blvd. NE and Montgomery Blvd. NE, and in connection with that needs to make changes, with the approval of the City of Albuquerque, to the existing site development plan for that parcel.

Mauney Investments, LLC is one of the owners of property abutting the southeast corner of this tract and is also the owner of a partnership interest in W&M Co. This email is to show Mauney Investments, LLC's approval of such changes as W&M Co. wishes to make to the existing site development plan. You are free to forward this to the City of Albuquerque as you see fit.

Sincerely,

Mauney Investments, LLC
Marc Mauney, Manager
marclynne@q.com

Thomas L. Bonham
317 Sixth St., NW
Albuquerque, NM 87102
Telephone: (505) 243-6705
Facsimile: (505) 243-6706
attorneybonham@aol.com

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Jaimie Garcia

From: Ron Bohannon
Sent: Tuesday, November 03, 2015 3:35 PM
To: Jaimie Garcia
Subject: FW: Los Pastores Shopping Centrer (Tract A-1)

Ronald R. Bohannon, P.E.
President
Tierra West LLC
5571 Midway Park Place NE
Albuquerque, NM 87109
505-858-3100 office
800-245-3102
rrb@tierrawestllc.com

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From: Attorneybonham@aol.com [<mailto:Attorneybonham@aol.com>]
Sent: Wednesday, September 16, 2015 3:08 PM
To: Ron Bohannon
Subject: Fwd: Los Pastores Shopping Centrer (Tract A-1)

Thomas L. Bonham
317 Sixth St., NW
Albuquerque, NM 87102
Telephone: (505) 243-6705
Facsimile: (505) 243-6706
attorneybonham@aol.com

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From: marclynne@q.com
To: Attorneybonham@aol.com

Sent: 9/16/2015 11:10:36 A.M. Mountain Daylight Time
Subj: Re: Los Pastores Shopping Center (Tract A-1)

We approve.

On Sep 15, 2015, at 3:26 PM, Attorneybonham@aol.com wrote:

Dear Paul and Judy Matteucci:

Please reply to this email and simply state "We approve."

Dear Mr. Bonham:

We understand W&M Co. is in the process of Developing Tract A-1 of Los Pastores Shopping Center located near the intersection of Wyoming Blvd. NE and Montgomery Blvd. NE, and in connection with that needs to make changes, with the approval of the City of Albuquerque, to the existing site development plan for that parcel.

We are one of the owners of property abutting the southeast corner of this tract and are one of the owners of the property at the northwest corner of Wyoming Blvd NE and Montgomery Blvd. NE and we are also the owners of a partnership interest in W&M Co. This email is to show our approval of such changes as W&M Co. wishes to make to the existing site development plan. You are free to forward this to the City of Albuquerque as you see fit.

Sincerely,

Paul J. Matteucci and Judith L. Matteucci,
Trustees of the Paul J. Matteucci and Judith L. Matteucci Revocable Trust
jpmatteucci@mac.com

Thomas L. Bonham
317 Sixth St., NW
Albuquerque, NM 87102
Telephone: (505) 243-6705
Facsimile: (505) 243-6706
attorneybonham@aol.com

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Jaimie Garcia

From: Ron Bohannon
Sent: Tuesday, November 03, 2015 3:36 PM
To: Jaimie Garcia
Subject: FW: Los Pastores Shopping Center (Tract A-1)

Ronald R. Bohannon, P.E.
President
Tierra West LLC
5571 Midway Park Place NE
Albuquerque, NM 87109
505-858-3100 office
800-245-3102
rrb@tierrawestllc.com

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From: Attorneybonham@aol.com [<mailto:Attorneybonham@aol.com>]
Sent: Wednesday, September 16, 2015 3:07 PM
To: Ron Bohannon
Subject: Fwd: Los Pastores Shopping Center (Tract A-1)

Thomas L. Bonham
317 Sixth St., NW
Albuquerque, NM 87102
Telephone: (505) 243-6705
Facsimile: (505) 243-6706
attorneybonham@aol.com

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From: jpmatteucci@mac.com
To: Attorneybonham@aol.com

Telephone: (505) 243-6705
Facsimile: (505) 243-6706
attorneybonham@aol.com

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Jaimie Garcia

From: Ron Bohannon
Sent: Tuesday, November 03, 2015 3:36 PM
To: Jaimie Garcia
Subject: FW: Tract A-1 Los Pastores Shopping Center

Ronald R. Bohannon, P.E.
President
Tierra West LLC
5571 Midway Park Place NE
Albuquerque, NM 87109
505-858-3100 office
800-245-3102
rrb@tierrawestllc.com

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From: Attorneybonham@aol.com [<mailto:Attorneybonham@aol.com>]
Sent: Wednesday, September 16, 2015 3:07 PM
To: Ron Bohannon
Cc: attorneybonham@aol.com
Subject: Tract A-1 Los Pastores Shopping Center

Mr. Bohannon: I will forward to you by email (immediately after this email) four of the approval forms you and I had discussed. These are (1) from Paul and Judith Matteucci (Trustees) as owners of W & M Co., and portions of both the Corner and the Strip; (2) Marc Mauney (Trustee) as owners of W & M Co., and a portion of the Strip; (3) Raymond and Elizabeth Matteucci as owners of a portion of the Corner; and (4) Harold Field (Trustee) as owner of a portion of the Strip.

I believe these cover all of the approvals you were expecting from me. Thanks.

Thomas L. Bonham
317 Sixth St., NW
Albuquerque, NM 87102

Facsimile: (505) 243-6706
attorneybonham@aol.com

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From: Attorneybonham@aol.com
To: Attorneybonham@aol.com
CC: attorneybonham@aol.com
Sent: 9/15/2015 11:21:41 A.M. Mountain Daylight Time
Subj: Re: Los Pastores Shopping Center (Tract A-1)

Thomas L. Bonham
317 Sixth St., NW
Albuquerque, NM 87102
Telephone: (505) 243-6705
Facsimile: (505) 243-6706
attorneybonham@aol.com

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In a message dated 9/15/2015 10:46:09 A.M. Mountain Daylight Time, Attorneybonham@aol.com writes:

Dear [Owner]: Please reply to this email simply stating "I approve" the following:

Dear Mr. Bonham:

I understand W & M Co. is in the process of developing Tract A-1 of Los Pastores Shopping Center located near the intersection of Wyoming Blvd. NE and Montgomery Blvd NE, and in connection with that needs to make changes, with the approval of the City of Albuquerque, to the existing site development plan for that parcel.

I am [an owner of property abutting the southeast corner of this tract] [an owner of a partnership interest in W & M Co]. This email is to show my approval of such changes as W & M Co. wishes to make to this site development plan; you are free to forward this to the City of Albuquerque as you see fit. Sincerely,

Thomas L. Bonham
317 Sixth St., NW
Albuquerque, NM 87102
Telephone: (505) 243-6705
Facsimile: (505) 243-6706
attorneybonham@aol.com

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Jaimie Garcia

From: Ron Bohannon
Sent: Tuesday, November 03, 2015 3:36 PM
To: Jaimie Garcia
Subject: FW: Los Pastores Shopping Center (Tract A-1)

Ronald R. Bohannon, P.E.
President
Tierra West LLC
5571 Midway Park Place NE
Albuquerque, NM 87109
505-858-3100 office
800-245-3102
rrb@tierrawestllc.com

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From: Attorneybonham@aol.com [<mailto:Attorneybonham@aol.com>]
Sent: Tuesday, September 15, 2015 11:35 AM
To: Ron Bohannon
Cc: attorneybonham@aol.com
Subject: Fwd: Los Pastores Shopping Center (Tract A-1)

Ron: This is a draft of what I would send to the various owners of abutting land/ and owners of interests in W&MCo - I would hope each of them would "Reply" to my email address simply stating "I approve."

Would this be adequate for your purpose? I was unclear as to exactly what language or form the City would be looking for --- is the language "changes ... to the existing site development plan" adequate?

Thanks. Tom

Thomas L. Bonham
317 Sixth St., NW
Albuquerque, NM 87102
Telephone: (505) 243-6705

gan

TIERRA WEST, LLC

November 5, 2015

Mr. Peter Nichols, Chair
Environmental Planning Commission
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

RE: **LOS PASTORES SHOPPING CENTER
TRACT A-1 REDIVISION OF TR A
(NOW COMPROMISING TRS A1 & A2)
THE SWLY PORTION OF TR A-1
ALL OF TRACT 1 EXC THE NLY PORT &
EXC THOSE PORTIONS ADJ TO THE
SOUTH & EAST OUT TO R/W
PROJECT# 1010550, CASE# 15EPC-40032**

Dear Chairman Nichols:

Tierra West, LLC, on behalf of W & M Company, requests approval the Site Development Plan for Subdivision for the above-referenced project. The zoning designation for the site is C-2 for Shopping Center commercial uses. The reason for this request is to allow for the development of the Los Pastores Shopping Center with individual pad users in a coordinated manner, providing for consistency in design across the entire property. Delegation of the Site Development Plans for Building Permit to the Development Review Board is also requested.

The 6.75-acre site is located on the northwest corner of Montgomery Boulevard NE and Wyoming Boulevard NE and encompasses Tract A-1, Redivision of Tract "A", Los Pastores Shopping Center. The southerly portion of Tract 1 was developed according to the Los Pastores Shopping Center Site Development plan approved in 1980 (corner parcel containing a Wells Fargo Bank building and the existing McDonalds Restaurant); however, no changes to this area are proposed and not a part of this request. The property is bound on the north by an adjacent unpaved public alley and an existing church; on the east by Wyoming Boulevard; on the south by Montgomery Boulevard; and on the west by an adjacent unpaved public alley and a residential subdivision.

The Site Plan for Subdivision proposes to subdivide this undeveloped parcel into five separate parcels for individual pad users and establishing the necessary access and utility easements in a manner consistent with the existing surrounding development and infrastructure. Design Standards are proposed and included with this submittal which will meet or exceed the requirements of the City of Albuquerque's Code of Ordinances, including building, parking, landscaping, lighting, and signage.

Should you have any questions or require additional information regarding this matter, please feel free to contact Vinny Perea or me at (505) 858-3100.

Sincerely,



Joel D. Hernandez, PE

JN: 2014052
RRB/jh/dc

\\NAS01\ZDrive\2014\2014052 NWC Wyoming & Montgomery\Working Documents\2014052 15-06-19 NWC Letter to Kym Dicome.docx

5571 Midway Park Place NE
(505) 858-3100
Albuquerque, NM 87109
Fax (505) 858-1118
tierrawestllc.com

NOTIFICATION &
NEIGHBORHOOD INFORMATION



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

July 16, 2015

Jaimie Garcia
Tierra West, LLC
5571 Midway Park Place NE/87109
Phone: 505-858-3100/Fax: 505-858-1118
E-Mail: jgarcia@tierrawestllc.com

PLEASE NOTE: The NA/HOA information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an undated letter from our office

Dear Jaime:

Thank you for your inquiry of July 16, 2015 requesting the names of **ALL Neighborhood and/or Homeowner Associations and Coalitions** who would be affected under the provisions of §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* by your proposed project at **(EPC SUBMITTAL) – TRACT A-1 REDIVISION OF TRACT A (NOW COMPRISING TRACTS A1 AND A2) LOS PASTORES SHOPPING CENTER, LOCATED ON WYOMING BOULEVARD NE BETWEEN MONTGOMERY BOULEVARD NE** zone map **F-19**.

Our records indicate that the **Neighborhood and/or Homeowner Associations** affected by this submittal and the contact names are as follows:

SEE "ATTACHMENT A" FOR THE NAMES OF THE NA/HOA'S THAT NEED TO BE CONTACTED IN REGARDS TO THIS PLANNING SUBMITTAL – please attach this letter and "Attachment A" to your Application Packet ALONG with copies of the letters and certified mail receipts to the NA/HOA's – siw.

Please note that according to §14-8-2-7 of the *Neighborhood Association Recognition Ordinance* you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Stephani Winklepleck

Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NA/HOA FOR THIS PLANNING SUBMITTAL.

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected neighborhood and/or homeowner associations **PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT**. Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
 - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
 - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describes the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
 - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
 - d) The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

Information from the Office of Neighborhood Coordination

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- ☒ **ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-**
- ☐ The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.
- ☒ **Copies of Letters to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**
- ☒ **Copies of the certified receipts to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**

Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at swinklepleck@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: **07/30/15** Time Entered: **9:20 a.m.** ONC Rep. Initials: **siw**

"ATTACHMENT A"

(EPC SUBMITTAL) - TRACT A-1 REDIVISION OF TRACT A (NOW COMPRISING TRACTS A1 AND A2) LOS PASTORES SHOPPING CENTER, LOCATED ON WYOMING BOULEVARD NE BETWEEN MONTGOMERY BOULEVARD NE zone map F-19 for Jaimie Garcia, Tierra West, LLC.

LOMA DEL REY N.A. "R"

***Brian A. Eagan**

8416 Hilton Ave. NE, Apt. 4B/87111 232-9571 (h) 480-8894 (c)

William E. Burk, III

9617 La Playa NE/87111 292-6566 (w)

DISTRICT 7 COALITION OF N.A.'S

***Janice Arnold-Jones**, 7713 Sierra Azul NE/87110 379-0902 (c)

Lynne Martin, 1531 Espejo NE/87112 294-0435 (h)

***President of NA/Coalition**

gan

Typical

TIERRA WEST, LLC

July 30, 2015

Ms. Janice Arnold-Jones
District 7 Coalition of N.A.'s
7713 Sierra Azul NE
Albuquerque, NM 87110

**RE: REQUEST FOR APPROVAL OF THE SITE DEVELOPMENT PLAN FOR SUBDIVISION
TRACT A-1 REDIVISION OF TRACT A (NOW COMPRISING TRACTS A-1 AND A-2)
LOS PASTORES SHOPPING CENTER
ZONE ATLAS PAGE F-19-Z**

Dear Ms. Arnold-Jones:

Attached for your use/file is our request to the EPC chair dated July 30, 2015. This request is for approval of a Site Development Plan for Subdivision for Tract A-1 Re-division of Tract A, Los Pastores Shopping Center, consisting of 5.7722 acres, zoned C-2 for commercial development property.

If you have any questions or need additional information regarding this matter, please feel free to contact Ronald R. Bohannon at (505) 858-3100 or the City of Albuquerque's Planning Department at (505) 924-3860.

Sincerely,



Ronald R. Bohannon, PE

cc: Lynne Martin- District 7 Coalition of N.A.'s

JN: 2014052

RRB/jh/jg

5571 Midway Park Place NE
Albuquerque, NM 87109
(505) 858-3100
Fax (505) 858-1118
1-800-245-3102
tierrawestllc.com

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Sent **Mr. Brian A Eagan**
 Loma Del Rey N.A.
 8416 Hilton Ave. NE, Apt 4B
 Albuquerque, NM 87111

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Sent **Ms. Lynne Martin**
 District 7 Coalition of N.A.'s
 1531 Espejo NE
 Albuquerque, NM 87112

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Sent **Mr. William E. Burke, III**
 Loma Del Rey N.A.
 9617 La Playa NE
 Albuquerque, NM 87111

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Total Postage & Fees	\$ 8.99

Sent **Ms. Janice Arnold Jones**
 District 7 Coalition of N.A.
 7713 Sierra Azul NE
 Albuquerque, NM 87110

PS Form 3800, October 2009 Instructions



September 23, 2015

Peter Nicholls
EPC Chairman
City of Albuquerque
600 2nd St NW, 3rd Floor
Albuquerque, NM 87102

RE: EPC Project 1010550 EPC-40032

Dear Mr. Nicholls,

As one of the adjoining property owners we would like to file comment about this proposed project.

We have met with the owner and the owner's agent and we are not in agreement with what they want to do with our property.

I do not know how they can proceed if they are not allowed access to our property.

It is also important to us, as a religious institution, that alcohol is not sold at the new establishments. Our school and youth organizations use our gymnasium during the week.

We are not sure how the owners/owner's agent can present a plan to the commission using someone else's property.

Thank you for your time.

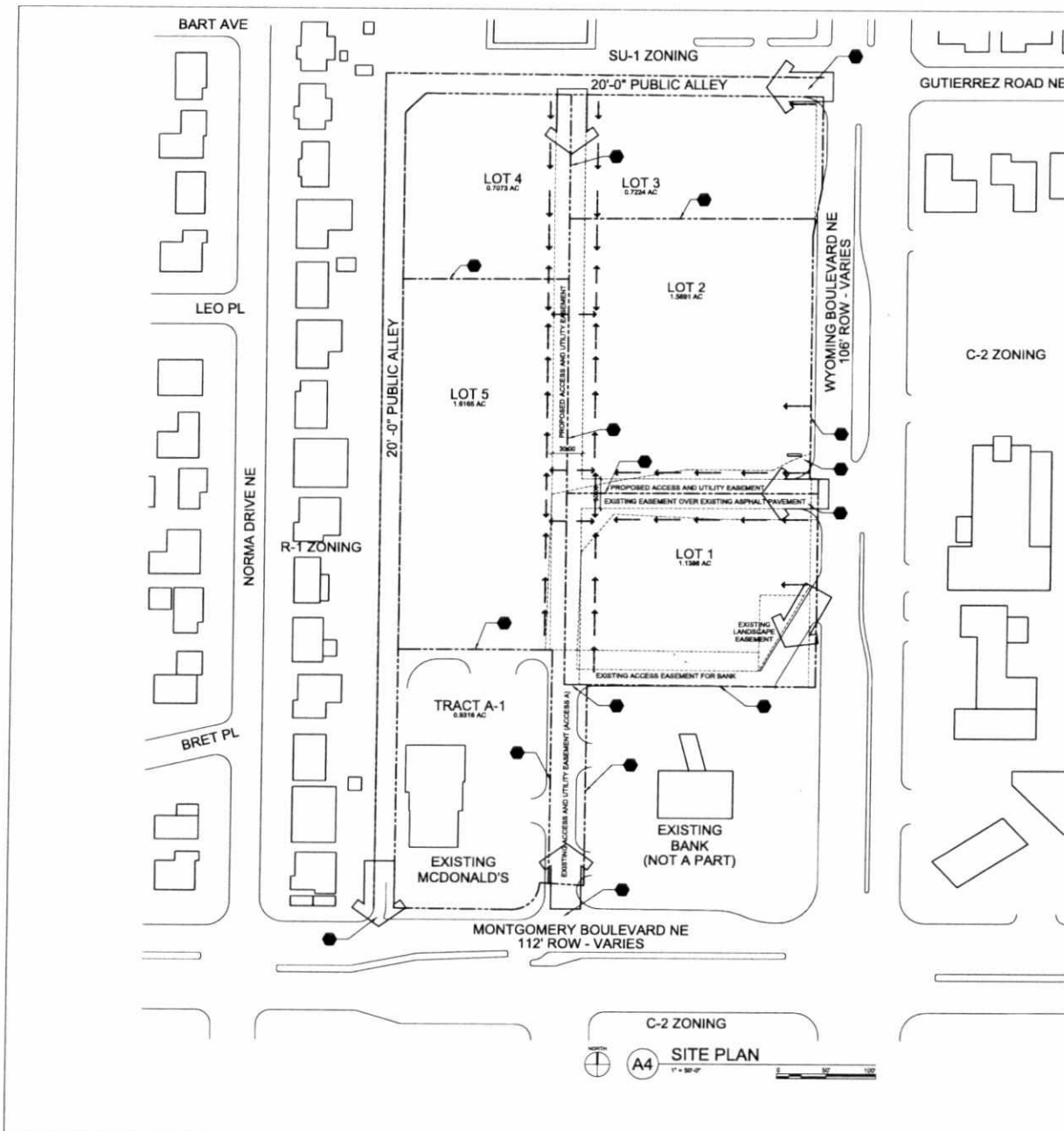
Sincerely,

A handwritten signature in black ink, appearing to read "Steve Smothermon", is written over a horizontal line.

Steve Smothermon
Senior Pastor

7201 Central Ave. NW Albuquerque, NM 87121 505.831.0961 legacychurch.com

SITE PLAN REDUCTIONS



C-2 ZONING
A4 SITE PLAN
 1" = 50'-0"

GENERAL NOTES

A. APPLICABLE PLANS: REFER TO DESIGN GUIDELINES, SHEET 3 OF 4 AND 4 OF 4 OF PROJECT DESIGN STANDARD GUIDELINES, THIS PACKAGE.

KEYED NOTES

1. EXISTING PROPERTY LINE
2. PROPOSED PROPERTY LINE
3. PRIMARY DEVELOPMENT SIGN
4. FULL ACCESS
5. RIGHT-IN / RIGHT-OUT / LEFT-IN ACCESS
6. RIGHT-OUT ONLY ACCESS

SITE DATA

LEGAL DESCRIPTION:
 TRACT A-1 REDIVISION OF TR A (NOW COMPRISING TRS A1 & A2)
 LOS PASTORES SHOPPING CENTER EXC. S.W. PORT & PORT OUT
 TO R.W. CONT. 5.77 AC ±
 Acres: 5.7722
ZONE:
 C-2
MAXIMUM BUILDING HEIGHT: SEE DESIGN STANDARDS
BUILDING SETBACKS: SEE DESIGN STANDARDS
PROPOSED USES: RETAIL, RESTAURANT, OR OFFICE
MAXIMUM FAR: 1.0

SITE PLAN LEGEND

- PEDESTRIAN INGRESS / EGRESS
- VEHICULAR INGRESS / EGRESS
- PROPERTY LINE EXISTING AS NOTED
- PROPERTY LINE PROPOSED AS NOTED

LEGEND



FORMER PROJECT NUMBER:

PROJECT NUMBER:

APPLICATION NUMBER:

Is an Infrastructure List Required? () Yes () No: If yes, then a set of approved DBC plans with a work order is required for any construction within Public Right of Way or for construction of public improvements.

SITE DEVELOPMENT PLAN APPROVAL:

TRAFFIC ENGINEER, TRANSPORTATION DIVISION	DATE
ABCWLA	DATE
PARKS AND RECREATION DEPARTMENT	DATE
CITY ENGINEER	DATE
SOLID WASTE MANAGEMENT	DATE
DNR CHAIRPERSON, PLANNING DEPARTMENT	DATE

**DEKKER
 PERICH
 SABATINI**

7601 JEFFERSON NE, SUITE 100
 ALBUQUERQUE, NM 87119
 505.761.9700 / DPSDESIGN.ORG

SEAL

PROJECT

NW CORNER
 MONTGOMERY & WYOMING
 ALBUQUERQUE, NM
 Project Location

REVISIONS
 △
 △
 △
 △
 △

DRAWN BY: GQ
 REVIEWED BY: CO
 DATE: 8/10/2016
 PROJECT NO: 14-0877

DRAWING NAME:
**SITE DEVELOPMENT
 PLAN FOR
 SUBDIVISION**

SHEET NO:
SPSD

DESIGN STANDARDS

I. PURPOSE & INTENT

The purpose of these Design Standards is to provide a framework for designers to understand the vision and development goals for the property, and assist them in decision making to achieve the vision and goals. The intent of these standards is to create an aesthetically pleasing, pedestrian friendly, mixed use development that adds office, retail and restaurant amenities to the NW corner of Montgomery and Wyoming. Intended uses includes an office building, with retail, and restaurant establishments along Wyoming Boulevard.

a. Goals

- Aesthetic treatments and material selection that provides consistency in design across the entire property.
- A pedestrian friendly environment that provides pleasant outdoor spaces for users and achieves a park once and walk outcome.
- Existing buildings adjacent to Montgomery will remain.
- Buildings proposed for this site to comply with C-2 regulations in the City of Albuquerque Comprehensive Zoning Code.
- All Design Standards are intended to meet or exceed the requirements of the City of Albuquerque's Code of Ordinances.

II. SETBACKS & BUILDING HEIGHT LIMITATIONS

There is no limitation for a lot in C-2 zone.

- All building setbacks shall be compliant with the C-2 zoning requirements in the City of Albuquerque Comprehensive Zoning Code except as noted below.
 - Buildings on lots along Wyoming Boulevard shall be setback not more than 90 feet from the public right-of-way in order to limit the amount of parking between the buildings and the street.
- Landscape setbacks shall conform to the requirements of Section 14-16-3-10 of the City of Albuquerque's Code of Ordinances except as noted below.
 - Parking areas along Wyoming Boulevard shall be setback 15 feet from the public right-of-way to provide space for screening of parked cars through the use of plant materials or low walls. Where parking areas or driveways are not parallel with the street, the setback shall be an average of at least 15 feet.
- Building overhangs, patio walls, and patios / plazas and other private amenities intended for use by patrons shall be permitted within this setback to allow for public and/or private nodes for building tenants.

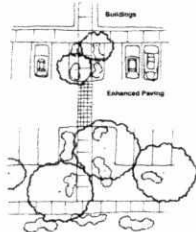
III. PARKING

In order to support the goal of creating a pedestrian friendly environment, careful attention shall be given to parking area design. To lessen its visual impact, parking shall be broken into a series of smaller areas, and views of parking from off-site shall be interrupted with screening materials.

- Off-street parking areas, including space size, aisle widths, pedestrian pathways, and screening shall comply with Section 14-16-3-1 of the City of Albuquerque's Code of Ordinances.
 - Parking areas shall be designed to include a 6 foot wide minimum pedestrian connection to buildings.
 - Parking shall be placed behind buildings or screened from surrounding neighborhoods by means of 2.5 to 3 foot high walls and / or landscaping. Walls shall be architecturally cohesive with surrounding buildings.
- Bicycle parking shall comply with Section 14-16-3-1(B) of the City of Albuquerque's Code of Ordinances.
 - To encourage non-vehicular travel, provisions for convenient on-site secure bicycle parking shall be provided near building entrances.
- Motorcycle parking shall comply with Section 14-16-3-1(C) of the City of Albuquerque's Code of Ordinances.
- Building orientation shall allow for clear visibility of the main entry from parking areas and pedestrian connections.

- Grading & drainage design of parking areas shall comply with Chapter 22 of the City of Albuquerque's Code of Ordinances, and shall incorporate low impact development principles.

- Parking islands shall allow flow of water as a water harvesting device and as required to maintain proper drainage of the site.



Enhanced parking area should be provided between parking area and building.

IV. PEDESTRIAN CONNECTIONS & AMENITIES

Pedestrian connectivity plays a major role in providing a pleasing environment. The following requirements are intended to help meet the property's goal of creating a pedestrian friendly atmosphere.

- Pedestrian connections within parking lots shall comply with Section 14-16-3-1(H) of the City of Albuquerque's Code of Ordinances.
 - Pedestrian movement from off-site and between buildings shall be encouraged by providing continuous pedestrian connections through parking areas and at the site's perimeter.
 - Parking areas shall include pedestrian connections to all buildings within the approximately five (5) acre site.
 - Shade provided with trees or shade structures shall be provided at pedestrian connections to enhance the pedestrian experience.
- A minimum 200 square feet of public space shall be provided at each restaurant establishment for outdoor seating or gathering. Public spaces for multiple restaurant establishments may be combined into one with a total area equal to 200 square feet per establishment.
 - Public space or outdoor seating shall have areas of shade and be adjacent to landscape areas including trees or shrubs per Section 14-16-3-18(C)(4) of the City of Albuquerque's Code of Ordinances.
 - Shade provided may include shade sails, canopies, canvas umbrellas at tables, trees, or planting materials significant enough to provide shade and refuge from the sun.
 - Areas designated for public space or seating shall be defined with landscape elements, low seat walls, benches, planters, paving patterns, or materials distinguishable from the pedestrian sidewalk and parking areas.



PEDESTRIAN AREAS: SHOULD PROVIDE SHADE

V. LANDSCAPING

The site development landscape shall serve to enhance the visual aesthetic of the site and aid in reinforcing the street presence and pedestrian experience. The intent is to provide year round color and interest and reflect the natural environment of New Mexico landscape. A clear theme and image for the development shall be enforced throughout by consistent paving materials, plantings, signage, etc.

- Street trees shall be provided as per the Street Tree Ordinance (6-6-2-1 et seq., Street Tree Ordinance) of the City of Albuquerque's code of ordinances.
- A minimum of 15% of the net site area shall be devoted to landscape materials.
- Gravel, mulch, cobble, bark, and other similar materials are acceptable as a top dressing for the landscape areas.
- Gravel shall be a 1-1/2" maximum, the color to be consistent with across the entire property.
- All plant material shall be maintained by the Owner in a living, attractive condition. All areas shall be free of weeds.
- Minimum plant material sizes at the time of installation shall be:
 - Canopy Trees - 2" Caliper
 - Evergreen Trees - 10' Minimum height
 - Accent Trees - 2" Caliper
 - Shrubs and Groundcovers - 1 gallon minimum
- Landscape plans shall comply with the City's Water Conservation Ordinance and Pollen Ordinance.
- Drought tolerant species shall be used at landscape areas. Live plant materials shall cover a minimum of 75% of landscape areas at maturity.
- An automatic underground irrigation system is required to support all site landscaping. The system shall be designed to avoid over-spraying onto wall, buildings, fences, sidewalks, etc. Irrigation components shall be checked periodically to ensure maximum efficiency.
- The irrigation system serving landscaped areas shall be a fully automated system with centralized computer controls.
- Landscape beds shall be at grade to promote water harvesting.
- Landscape Plans shall be designed using plants selected from the following palette:

LARGE TREES

Accolade Elm	Ulmus hybrid "Accolade"
Afghan Pine	Pinus edulis
Austrian Pine	Pinus nigra
Chinese Pistache	Pistacia chinensis
Excelsior Oak	Quercus laevis
Japanese Pagoda Tree	Sophora japonica
Modesto Ash	Fraxinus velutina "Modesto"
Purple Robe Locust	Robinia pseudoacacia "Purple Robe"
Raywood Ash	Fraxinus velutina "Raywood"
Rio Grande Cottonwood	Populus trichocarpa
Texas Red Oak	Quercus buckleyi

SMALL TREES

Chaste Tree	Vitex agnus-castus
Desert Willow	Chilopsis linearis
Golden Rain Tree	Koeleria paniculata
New Mexico Olive	Forestiera neomexicana
Oklahoma Redbud	Cercocarpus
Sensation Maple	Acer negundo "Sensation"

SHRUBS

Apache Plume	Fallugia paradoxa
Bird of Paradise	Caesalpinia gilliesii
Blue Rubber Rabbitbrush	Encarnanthea "Blue"
Buffalo Juniper	Juniperus
Creeping Mahonia	Mahonia repens
Damask Rose	Chrysanthemum mexicanum
Dark Knight Blue Mist Spirea	Caryopteris canadensis "Dark Knight"
Black Knight Butterflybush	Buddleia davidii "Black Knight"
Dwarf Fragrant Sumac	Rhus aromatica "Gro-low"
Fernbush	Chamaebatiarum
Littleleaf Mountain Mahogany	Cercocarpus
Moonlight Scotch Broom	Cytisus scoparius "Moonlight"
Pawnee Buttes Western Sand Cherry	Prunus besseyi "Pawnee Buttes"

Thompson Broom

Threeleaf Sumac
Turpentine Bush
Winter Gem Boxwood

GRASSES

Blonde Ambition Blue Grama Grass	Bouteloua "Blonde Ambition"
Blue Arena Grass	Helictotrichon sempervirens
Deergrass	Muhlenbergia rigens
Giant Sacaton	Sporobolus vaginatus
Indian Grass	Sorghastrum nutans
Karl Foerster Feather Reed Grass	Calamagrostis acutiflora "Karl Foerster"
Native Wonder Grass Blend	50% Bouteloua gracilis / 50% Bouteloua curtipendula
Mexican Feathergrass	Nassella tenuissima
Prairie Dropseed	Sporobolus heterolepis
The Blues Bluestem	Schizachyrium scoparium "The Blues"
Variegated Reed Grass	Calamagrostis acutiflora "Overdam"

ACCENTS

Beargrass
Broadleaf Yucca
Desert Spoon
Pony's Agave
Pinky Pear Cactus
Red Yucca

PERENNIALS

Autumn Sage varieties	Salvia greggii varieties
Blanketflower species	Gaillardia species
Butterfly Weed	Asclepias species
Calatropis species	Nepeta species
Gemander species	Taraxacum species
Desert Zinnia	Zinnia grandiflora
Whirling Butterfly species	Gauralindheimia varieties
Hyslop species	Agastache species
Lavender species	Lavandula species
May Night Sage	Salvia nemorosa
Penstemon species	Penstemon species
Poppy Mallow	Callirhoe involucrata
Rocky Mountain Columbine	Aquilegia caerulea
Tickseed species	Coreopsis species
Turkish Speedwell	Veronica lwanensis
Yarrow species	Achillea species

VINES

Chinese Wisteria
Trumpet Vine

Wisteria chinensis
Campsis radicans

VI. WALLS & FENCES

Screening of less attractive areas such as parking and utility items, as well as management of grade changes that exceed simple slopes, shall be accomplished through the use of walls and fences that are designed to be an integral part of the project's overall aesthetic.

- Parking shall be screened from public rights-of-way by means of 2.5 to 3 foot high walls and / or landscaping. These walls shall be architecturally cohesive with surrounding buildings.
- Trash receptacles, mechanical equipment, and loading docks shall be screened from public streets through the use of solid walls, solid fences, berms, or dense evergreen foliage.
 - Trash enclosures shall be consistent with the architectural theme and materials of adjacent buildings.
 - All outdoor refuse containers shall be screened within a minimum 6 foot tall enclosure which is large enough to contain all trash generated between collections.
 - Trash enclosures shall have solid, opaque gates as tall as the enclosure.
- Walls and fences shall be at least as tall as the objects they are intended to screen and shall not exceed 8 feet high.
- All screening devices shall be in compliance with the City of Albuquerque DPM's Clear Sight Triangle regulations.
- All mechanical equipment shall meet the screening requirements of Section 14-16-3-18(C)(6) of the City of Albuquerque's Code of Ordinances.
 - All mechanical equipment shall be screened from public

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SEAL

PROJECT

NW CORNER
MONTGOMERY & WYOMING
ALBUQUERQUE, NM
Project Location

REVISIONS

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△
△
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△
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△

DRAWN BY GG
REVIEWED BY CG
DATE 08/06/2016
PROJECT NO 14-0077

DRAWING NAME

SITE DEVELOPMENT
PLAN FOR
SUBDIVISION
DESIGN STANDARDS

SHEET NO

DS01

DESIGN STANDARDS (continued)

view by materials of the same nature as the adjacent buildings

- f. Walls and fences shall comply with Section 14-16-3-19 of the City of Albuquerque's Comprehensive Zoning Code.
- g. Perimeter walls shall include openings at all pedestrian connections to ensure convenient access to adjacent tracts.
- h. The use of razor ribbon, razor wire, barbed wire, chain link fencing with or without slats, cyclone fencing or unfinished solid CMU is prohibited.
- i. Acceptable wall & fence materials include but are not limited to:
 - i. stucco over concrete masonry units (CMU)
 - ii. split face block
 - iii. brick
 - iv. stone
 - v. curved interlock blocks
 - vi. tubular steel, wrought iron bars, or other grill work
- j. The finish of walls & fences shall be attractive and compatible with the building materials of adjacent buildings on the site.
- k. The site slopes slightly from Wyoming Blvd. to the west to provide a fairly level site.
 - i. Retaining walls are permitted, but they must be shown and approved on the Site Development Plan for Building Permit.
 - ii. Retaining walls, seat walls, or elements intended to compensate for a slope in the site, shall avoid long unarticulated expanses of wall. Walls shall have varied setbacks of at least one foot with planes not running in one continuous direction for more than fifty feet without a change in height or setback.
 - iii. Pedestrian sidewalks and landscape shall be integrated into these locations where applicable to allow for pedestrian access through elevation changes within the site.
- l. Grading and Drainage plans must comply with the City of Albuquerque's Drainage Ordinance.
 - i. All measures shall be taken to provide public safety at pond locations.



REFUSE CONTAINERS - shall be screened by a 6-foot tall enclosure and plant materials.

VII. UTILITIES

To ensure the overall aesthetic quality of the property and natural environment, the visual impact of utilities and equipment should be minimized by the following:

- a. All new electrical distribution lines shall be placed underground.
- b. Transformers, utility pads, and telephone boxes shall be appropriately screened with walls and/or vegetation when viewed from the public right-of-way.
- c. When an above-ground backflow prevention device is required, the heated enclosure shall be constructed of materials compatible with the architectural materials used on the adjacent buildings. If prefabricated enclosures are used, they shall be appropriately screened from view with walls and/or landscaping.



MECHANICAL SCREENING - should be screened from public view

VIII. ARCHITECTURE

Architectural design of buildings and site features shall demonstrate a high quality aesthetic character throughout the property and shall respond to climate, views, solar access, and aesthetic considerations.

- a. All development shall comply with General Building & Site Design Regulations for Non-Residential Uses of the City Zoning Code (14-16-3-18).
- b. Architectural Style
 - i. The development shall provide a cohesive material and color palette among all buildings.
 - ii. All buildings shall be "modern" in design.
 - iii. Historical references to traditional New Mexico styles shall be a modern interpretation of those styles.
 - iv. Generic franchise architecture is prohibited.
- c. Articulation
 - i. Buildings shall have a variety of structural forms to create visual character and interest.
 - ii. Long unarticulated facades shall be avoided. Facades shall have varied front setbacks, with wall planes not running in one continuous direction for more than 100 feet without a change in architectural treatment such as offset, material, or fenestration.
 - iii. Massing elements shall be reinforced with color variation or material distinctions.
- d. Materials
 - i. The architectural expression of all buildings shall reflect modern design with the use of materials appropriate to the New Mexico climate.
 - ii. Individual building elements shall be of excellent design and quality materials such as:
 1. Metal wall panels
 2. Porcelain tile
 3. Natural stone panels
 4. Concrete
 5. Rammed earth
 6. Glass
 7. Stucco or Exterior Insulation & Finish System
 8. Brick or decorative concrete masonry units
 - iii. The following external building materials shall be prohibited:
 1. Engineered wood paneling
 2. Vinyl or plastic siding
 3. Plain concrete masonry units
 - iv. All glazing shall be clear and neutral in color. Reflective, deeply colored, and patterned glazing is prohibited.
 - v. Canopies, trellises and awnings shall be of durable materials such as metal, corrugated metal, or steel.
 - vi. Colors shall include light to medium earth tones with accent colors in limited areas.
 1. No more than one accent color shall be used per building.
 2. The use of contrasting colors for shade elements or

awnings is encouraged

IX. LIGHTING

To enhance safety, security and visual aesthetics, daytime and night-time appearance of lighting design and fixtures shall be considered. The primary design objective of site lighting shall be to maximize public safety without impacting the adjacent properties, buildings, or roadways with unnecessary glare or reflection.

- a. All lighting shall comply with Section 14-16-3-9, Area Lighting Regulations of the City of Albuquerque's Comprehensive Zoning Code.
- b. Lighting fixtures shall conform to the requirements of the State of New Mexico Night Sky Protection Act.
- c. All free-standing lights shall be of consistent design throughout the site.
- d. High pressure sodium & cobra-head type lighting fixtures are not permitted.
- e. Light fixtures shall be located on Site Development Plans for Building Permit.
- f. The height of street lights and off-street parking areas lights shall not exceed 25 feet.
- g. All lights shall be a shielded source to prevent spillage onto adjoining properties or the public right-of-way.
- h. Pedestrian lighting shall not exceed 12 feet in height.
- i. Tree canopy lighting may be used to accent and enhance pedestrian connections.
- j. Exterior elevations of buildings fronting the public right-of-way may be feature lighted to enhance the identity of the building.

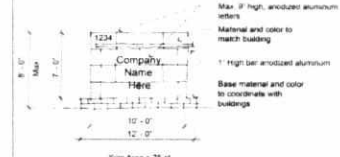


LIGHTING - should be shielded source with the height kept to a minimum necessary to meet safety requirements

X. SIGNAGE

Signage and graphics should create a sense of arrival to the development and provide visual continuity between the various lots and their uses.

- a. Signage shall comply with the Section 14-16-3-5 General Sign Regulations of the City of Albuquerque's Code of Ordinances.
- b. Free standing signs shall be designed so as not to require any external bracing, angle supports, guy wires or similar devices for support.
- c. No signage is allowed that uses moving parts, makes audible sounds, or has blinking or flashing lights.
- d. Signs shall not overhang into the public right-of-way or extend above the building roof line.
- e. Off-premise signs and portable signs are prohibited.
- f. Monument signs shall comply with Section 14-16-3-2(B)(4). One monument sign is permissible for 300 feet of street frontage and permissible at multiple points of entry from Wyoming when distances is from each sign is greater than 300 feet. These signs shall be coordinated to have the same appearance (height, size, color, material, text height, style etc.) at all locations.
- g. Building mounted signs shall have contrasting colors from the background and text height and font that ensures readability.
- h. No building mounted sign shall intrude upon architectural features including windows, columns, or canopies or decorative features.



SIGNAGE - should be coordinated with building forms.

XI. PROCESS

Site Development Plans for Building Permit shall be delegated to the Development Review Board and shall be consistent with the Design Standards established by this Site Development Plan for Subdivision.

DEKKER
PERICH
SABATINI

7601 JEFFERSON BL. SUITE 100
ALBUQUERQUE, NM 87109
505.761.9700 / DPSDESIGN.ORG

SCALE

PROJECT

NW CORNER
MONTGOMERY & WYOMING
ALBUQUERQUE, NM
Project Location

REVISIONS

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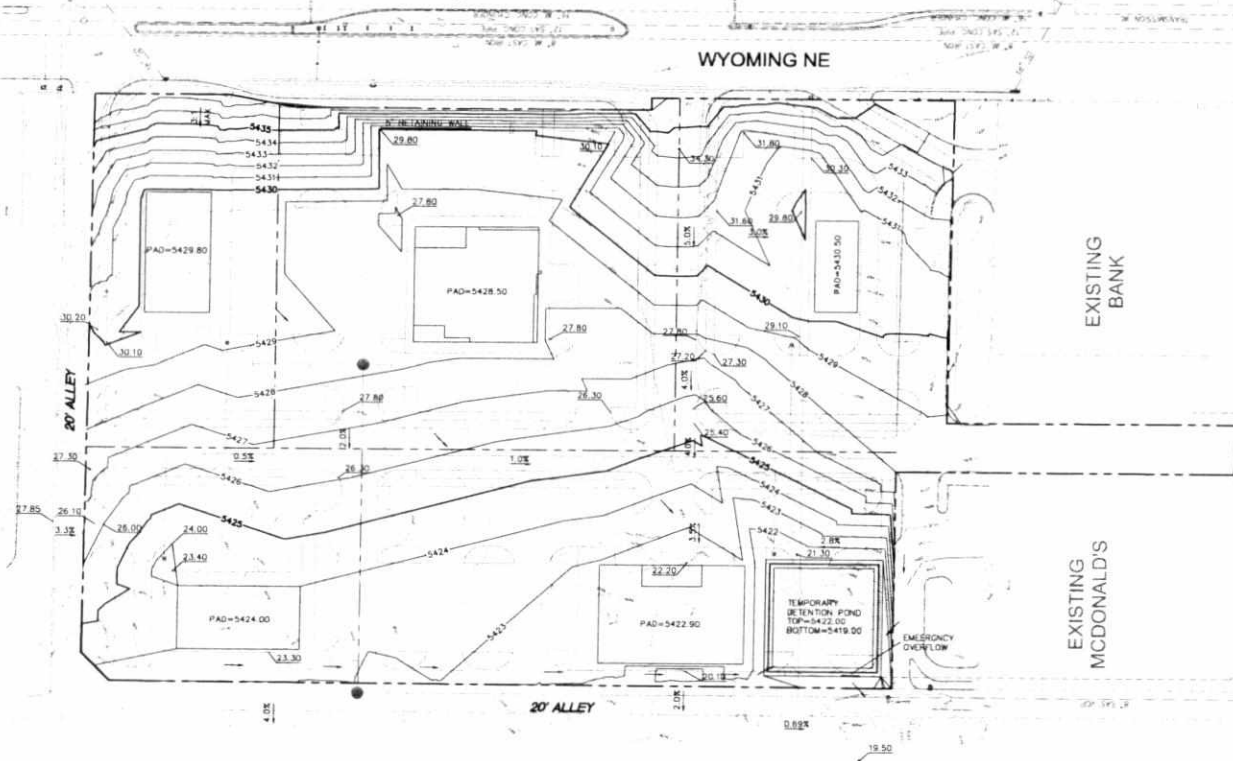
DRAWN BY: GG
REVIEWED BY: CG
DATE: 09/06/2015
PROJECT NO: 14-0877

DRAWING NAME

SITE DEVELOPMENT
PLAN FOR
SUBDIVISION
DESIGN STANDARDS

SHEET NO

DS02



DRAINAGE NARRATIVE:

Project Location:

The site is located on the northeast corner of Montgomery Boulevard NE and Wyoming Boulevard NE and encompasses Tract A-1. Redesign of Tract "A" - Los Pastores Shopping Center. A portion of Tract 1 (corner parcel containing a Wells Fargo Bank building) is not a part of this request. The property is bound on the north by an adjacent unimproved public alley and an existing church; on the east by Wyoming Boulevard; on the south by Montgomery Boulevard and an existing Wells Fargo Bank; and on the west by an adjacent unimproved public alley and a residential subdivision.

Existing Conditions:

A leased parcel on the southwest portion of the site is developed with a McDonald's Restaurant and parking facilities, while the remaining portion of the property remains undeveloped with the exception of access driveway connecting access from Wyoming Blvd. The site appears to have been previously graded with a moderate to steep slopes on the east, a small slope on the west adjacent to the alley, and a shallow (<3 foot deep) detention/retention pond (existing pond) north of the McDonald's restaurant.

Surface runoff from the site generally flows from the northeast corner of the site toward the existing pond on the southwest portion of the undeveloped area which, in turn, outflows into the unimproved public alley draining by surface flow onto Montgomery Boulevard. Offsite flows draining onto the site are limited to surface runoff from the undeveloped alley adjacent to the church on the north as well as from the northern portion of the existing Wells Fargo Bank building which surface flows over the McDonald's parking lot and drains through a curb cut into the existing pond. No offsite flows drain onto the site from Wyoming Boulevard as they are contained in the roadway curb and gutter and conveyed into an existing public storm drain system.

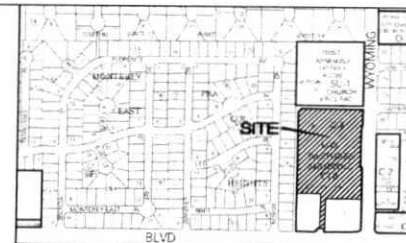
The subject property does not lie within a mapped flood zone, as indicated on FIRM Map 35002C0143G. Stormwater conveyance within Montgomery Boulevard is at capacity.

Proposed Conditions:

The drainage intent is to maintain drainage patterns and peak discharge rates matching historic, pre-development flows. To accomplish this, the existing drainage pond will be enlarged and maintained in the same location until such time Lot 5 develops. The conceptual grading and drainage scheme proposes to provide paths within each proposed lot that will enable individual development of each lot, provided individual, privately maintained ponds or underground drainage storage structures are built with the development of each lot so as to not exceed pre-development peak flow rates.

CAUTION:

ALL EXISTING UTILITIES SHOWN WERE OBTAINED FROM RESEARCH, AS-BUILTS, SURVEYS OR INFORMATION PROVIDED BY OTHERS. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO CONDUCT ALL NECESSARY FIELD INVESTIGATIONS PRIOR TO AND INCLUDING ANY EXCAVATION, TO DETERMINE THE ACTUAL LOCATION OF UTILITIES AND OTHER IMPROVEMENTS, PRIOR TO STARTING THE WORK. ANY CHANGES FROM THIS PLAN SHALL BE COORDINATED WITH AND APPROVED BY THE ENGINEER.



VICINITY MAP



FIRM MAP

35002C0143G

LEGEND

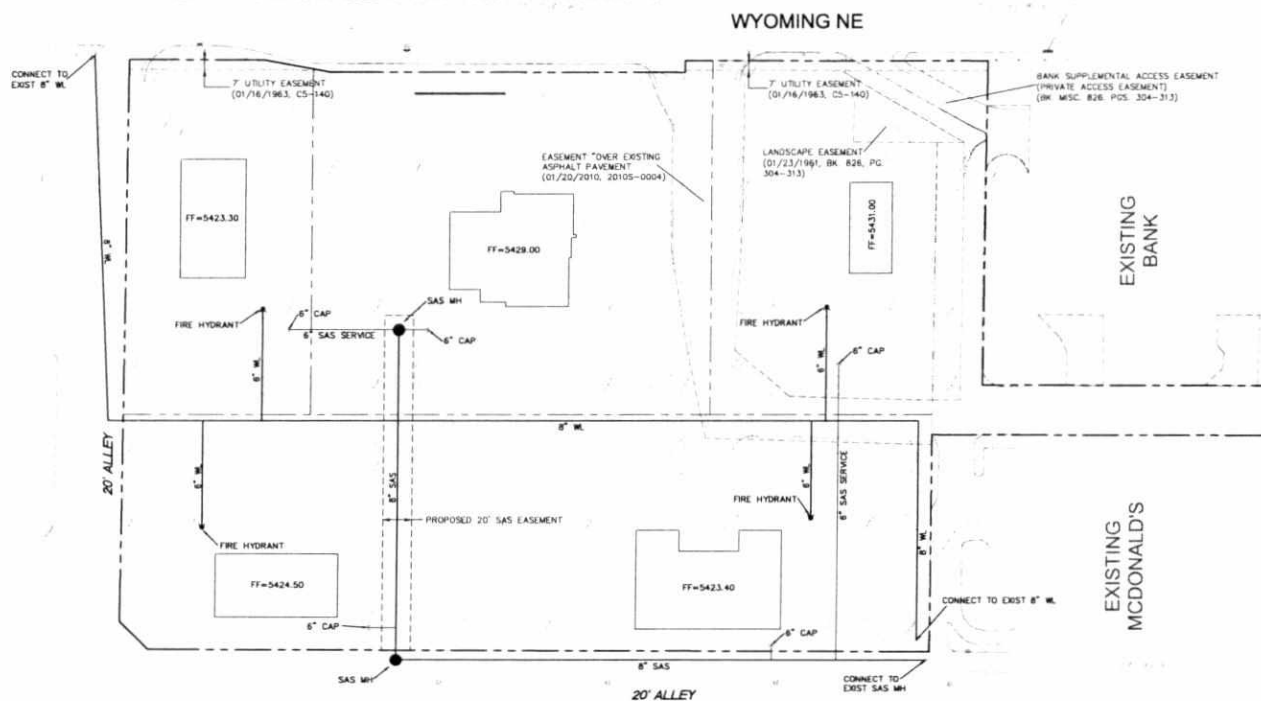
- CURB & GUTTER
- BOUNDARY LINE
- EASEMENT
- SIDEWALK
- EXISTING CURB & GUTTER
- SINGLE CLEAN OUT
- DOUBLE CLEAN OUT
- EXISTING SD MANHOLE
- EXISTING GAS MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING WATER METER
- EXISTING POWER POLE
- EXISTING GAS VALVE
- EXISTING OVERHEAD UTILITIES
- EXISTING GAS
- EXISTING SANITARY SEWER LINE
- EXISTING WATER LINE
- EXISTING STORM SEWER LINE
- EXISTING INDEX CONTOUR
- EXISTING CONTOUR



GRAPHIC SCALE



ENGINEER'S SEAL	LOS PASTORES SHOPPING CENTER	CONCEPTUAL GRADING PLAN	DRAWN BY
			pm
			DATE
			7-2-15
 TERRA WEST, LLC 5571 MIDWAY PARK PL. NE ALBUQUERQUE, NEW MEXICO 87109 (505) 858-1100 www.terrawestllc.com			DRAWING
			2014052 - GRC
			SHEET #
			GR-1
RONALD R. BOHANNAN P.E. #1188			JOB #
			2014052



LEGEND

	CURB & GUTTER
	BOUNDARY LINE
	EASEMENT
	SIDEWALK
	EXISTING CURB & GUTTER
	SINGLE CLEAN OUT
	DOUBLE CLEAN OUT
	EXISTING 30" MANHOLE
	EXISTING 30" MANHOLE
	EXISTING FIRE HYDRANT
	EXISTING WATER METER
	EXISTING POWER POLE
	EXISTING GAS VALVE
	EXISTING OVERHEAD UTILITIES
	EXISTING GAS
	EXISTING SANITARY SEWER LINE
	EXISTING WATER LINE
	EXISTING STORM SEWER LINE

GENERAL UTILITY NOTES

- ALL WATER AND SEWER UTILITY WORK TO BE DONE IN ACCORDANCE WITH CITY OF ALBUQUERQUE SPECIFICATIONS FOR PUBLIC UTILITY CONSTRUCTION, 1986 EDITION (UPDATE NO. 6) INCLUDING AMENDMENT NO. 1.
- 4" MINIMUM BURRY REQUIRED FOR ALL UTILITIES UNLESS OTHERWISE NOTED.
- REFERENCE ARCHITECTURAL PLANS FOR WATER LINE RISER LOCATIONS.
- CLEAN OUTS ARE TO BE BUILT PER UNIFORM PLUMBING CODE STANDARDS.
- ALL PLUMBING PIPE MATERIAL TO BE USED PER UPC.
- IRRIGATION AND DOMESTIC WATERLINE MUST HAVE BACKFLOW PREVENTORS PER UPC. IF BACKFLOW PREVENTOR IS INSTALLED EXTERIOR OF BUILDING A HOT BOX SHALL BE INSTALLED AND USED.
- ALL EXCAVATION, TRENCHING AND SHORING ACTIVITIES MUST BE CARRIED-OUT IN ACCORDANCE WITH OSHA 29 CFR 1926.650 SUBPART P.
- ALL UTILITY DISTANCES SHOWN ARE FOR REFERENCE ONLY.
- PNM HAS NUMEROUS ELECTRIC FACILITIES AT THIS SITE CURRENTLY SERVING EXISTING CUSTOMERS. THE APPLICANT SHALL COORDINATE WITH PNM REGARDING THESE EXISTING FACILITIES. ANY RELOCATION, CHANGES OR REALIGNMENT OF EXISTING ELECTRIC UTILITIES WILL BE THE DEVELOPER EXPENSE. IN SOME CASES, RELOCATION OR CHANGES TO EXISTING FACILITIES MAY NOT BE FEASIBLE DUE TO PHYSICAL, USE OR SAFETY CLEARANCE CONSTRAINTS.
- PNM WILL REVIEW ALL TECHNICAL NEEDS, ISSUES AND SAFETY CLEARANCES FOR ITS ELECTRIC POWER SYSTEMS. ANY EXISTING AND PROPOSED PUBLIC UTILITY EASEMENTS SHALL BE INDICATED ON THE SITE PLAN UTILITY SHEET PRIOR TO DRB REVIEW. PNM'S STANDARD FOR PUBLIC UTILITY EASEMENTS IS 10 FEET IN WIDTH TO ENSURE ADEQUATE, SAFE CLEARANCES.
- SCREENING SHALL BE DESIGNED TO ALLOW FOR ACCESS TO UTILITY FACILITIES. IT IS NECESSARY TO PROVIDE ADEQUATE CLEARANCE OF TEN FEET SURROUNDING ALL GROUND-MOUNTED UTILITIES FOR SAFE OPERATION, MAINTENANCE AND REPAIR PURPOSES.



GRAPHIC SCALE



CAUTION

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ENGINEER'S SEAL	LOS PASTORES SHOPPING CENTER CONCEPTUAL UTILITY PLAN	DRAWN BY: gpm DATE: 7-2-15 DRAWING: 2014052-MUC SHEET # MU-1 JOB # 2014052
RONALD R. BOHANNAN P.E. #7666	TERRA WEST, LLC 5571 MONDAY PARK PL. NE ALBUQUERQUE, NEW MEXICO 87109 (505) 858-3100 www.terrawestllc.com	